

**Marco Becerra**

## SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

PEOPLE OF THE STATE OF CALIFORNIA

v.

**MARCO BECERRA**

Defendant(s)

NO. 17-CR-034286

WARRANT

PFN: [REDACTED]

CEN: [REDACTED]

**FILED**  
ALAMEDA COUNTY  
11/8/2017 3:07:27 PM  
**CLERK OF THE SUPERIOR COURT**  
BY *[Signature]*  
Signed 11/8/2017 03 11 PM  
**DEPUTY**

The undersigned, being sworn says, on information and belief, that MARCO BECERRA did, in the County of Alameda, State of California, on or about September 11, 2017, commit a FELONY, to wit: UNLAWFUL SEXUAL INTERCOURSE, a violation of section 261.5(c) of the PENAL CODE of California, in that said defendant(s) engaged in an act of unlawful sexual intercourse with Jane Doe, a minor, not the spouse of the defendant, the minor being more than three years younger than the defendant.

**SECOND COUNT**

The undersigned further deposes and says on information and belief, that said MARCO BECERRA did, in the County of Alameda, State of California, on or about September 26, 2017, commit a FELONY, to wit: UNLAWFUL SEXUAL INTERCOURSE, a violation of section 261.5(c) of the PENAL CODE of California, in that said defendant(s) engaged in an act of unlawful sexual intercourse with Jane Doe, a minor, not the spouse of the defendant, the minor being more than three years younger than the defendant.

**THIRD COUNT**

The undersigned further deposes and says on information and belief, that said MARCO BECERRA did, in the County of Alameda, State of California, on or about October 12, 2017, commit a FELONY, to wit: UNLAWFUL SEXUAL INTERCOURSE, a violation of section 261.5(c) of the PENAL CODE of California, in that said defendant(s) engaged in an act of unlawful sexual intercourse with Jane Doe, a minor, not the spouse of the defendant, the minor being more than three years younger than the defendant.

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Pursuant to Penal Code Section 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by Penal Code Section 1054.3.

Subscribed and sworn to before me,  
Wednesday, November 8, 2017



JONI LEVENTIS  
Deputy District Attorney  
State Bar #157715  
Alameda County, California

This document was filed electronically in  
compliance with Penal Code section 959.1

SPD 2017-47052 / jr



## County of Alameda

Request for Out of Custody Complaint  
Declaration of Probable Cause

Arrestee/Suspect <b>MARCO BECERRA</b>	DOB [REDACTED]	Sex M	PFN
Race <b>HISPANIC</b>	CDL D9380559 CA	Agency Report # <b>2017-00047052</b>	
Arresting Agency <b>SAN LEANDRO PD (CA0011200)</b>	Declarant <b>DAN LEJA</b>	Agency Phone <b>(510) 577-2740</b>	Agency Fax
Arrest Date	Arrest Time	Arrest Location	
Holds		Arrestee Home Address [REDACTED]	
Charges/Violations <b>PC 261.5(C) F(3 Counts)</b>			

On 101317 the San Leandro Police Department received notification from the Alameda County Social Services Agency, via a mandatory reporter, that 26 yr-old Suspect Marco Becerra, a then-current San Leandro police officer, was engaged in a sexual relationship with a 17 yr old female.

Investigators met with the victim and she provided a statement in which she described how she and Becerra became friends through the San Leandro Police Explorer program and corresponded via phone and social media. In early September (2017), Becerra and the victim arranged to meet at a location in San Leandro where they engaged in sexual intercourse. Becerra and the victim met at least two more times after the initial sexual encounter and engaged in sexual intercourse.

Becerra was immediately placed on administrative leave after the victim's interview. On 10/20/17, Becerra gave a mirandized statement in which he confessed to being in a sexual relationship with the victim over the past month and a half. Marco Becerra then resigned from employment following his confession.

Based on the victim's statement, obtained evidence and Becerra's statement, he is in violation of multiple counts of 261.5 (c) of the California Penal Code.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 11/08/2017 11:21:52

Declarant: DAN LEJA

Badge: 271

Reviewed and approved.

Date: 11/08/2017 11:22:22

Supervisor: DAN LEJA

Badge: 271



**SAN LEANDRO POLICE DEPARTMENT  
POLICE REPORT**

301 E. 14TH STREET  
SAN LEANDRO, CA 94577  
(610) 577-3217 RECORDS



CASE NO.

**2017-00047052**

PAGE  
1  
of  
6

**CONFIDENTIAL COVER PAGE**

REPORTING OFFICER  
271\LEJA, DANIEL - SGT.

DATE / TIME WRITTEN  
**10/18/2017 12:36**

# **CONFIDENTIAL**

**THIS REPORT HAS BEEN CLASSIFIED AS CONFIDENTIAL.  
PUBLIC DISSEMINATION IS PROHIBITED.**

**\* INCIDENT TYPE**

**\* JUVENILE INVOLVED**

**\* SEX CRIME INVESTIGATION**

**\* VICTIM REQUESTED**

**\* OFFICER / INVESTIGATOR REQUESTED**



## SAN LEANDRO POLICE DEPARTMENT

## POLICE REPORT

901 E. 14TH STREET  
SAN LEANDRO, CA 94577  
(510) 577-3217 RECORDS

CASE NO.

2017-00047052

PAGE 2 OF 6

ASSOCIATED SLPO CASE #S)

2017-  
2017-  
2017- DVR  RRES GANG RELATED CONFIDENTIAL REQUESTED BAWAR INFO. PROVIDED VICT OF VIOLENT CRIME NOTIFIED

E V E N T	DATE REPORTED	DAY	TIME	OCCURRED INCIDENT TYPE		
	10/13/2017	FRI	17:30	261 PC - RAPE		
	OCCURRED AT/FROM	DAY	TIME	DOMESTIC RELATIONSHIP	WEAPON	
09/21/2017	FRI	00:01				
OCCURRED THRU	DAY	TIME	CRIME SCENE TECHNICIAN			
10/12/2017	THU	23:00				
LOCATION OF OCCURRENCE				SIGNIFICANT EVENT		
EL TORITO'S RESTAURANT (PARKING LOT), 5 MONARCH BAY DR / SAN LEANDRO				CONFIDENTIAL		

O F F E N S E S	NO.	SECTION / TYPE	ATTEMPT / COUNT	COUNTS	NO FACTORS	<input type="checkbox"/> FORCED TO DISROBE	<input checked="" type="checkbox"/> OTHER SEX ACTS
	1	261.5(A) PC-F	COMMITTEE	12	<input type="checkbox"/> ALARM DISABLED	<input type="checkbox"/> FORCED TO FONDLE SUSP	
	2	289(H) PC-F	COMMITTEE	12	<input type="checkbox"/> BOUDGAGED	<input type="checkbox"/> FORCED TO REAR STORE	
	3	288A(8)(1) PC-F	COMMITTEE	11	<input type="checkbox"/> DEFECATED	<input type="checkbox"/> GLOVE'S WORN	
	4	286(B)(1) PC-F	COMMITTEE	1	<input type="checkbox"/> DEMAND NOTE USED	<input type="checkbox"/> HATE MOTIVATED	
	5				<input type="checkbox"/> DISROBED BY SUSP	<input type="checkbox"/> IMPERSONATE POLICE/LAW	
	8				<input type="checkbox"/> EJACULATED	<input type="checkbox"/> KNEW LOC HIDDEN LOSS	
	7				<input type="checkbox"/> FIRED WEAPON	<input type="checkbox"/> MASK WORKFACE HIDDEN	
	8				<input type="checkbox"/> FOLLOW/S/TALKS VICT	<input type="checkbox"/> MASTURBATED	
				<input type="checkbox"/> FORCED COVER FACE	<input checked="" type="checkbox"/> ORALLY COPULATED	<input type="checkbox"/> PLIERS	
						<input type="checkbox"/> BOLT CUTTER	<input type="checkbox"/> PRY TOOL
						<input type="checkbox"/> BRICK/ROCK	<input type="checkbox"/> SAW/DRILL
						<input type="checkbox"/> FLASHLIGHT	<input type="checkbox"/> SCREWDRIVER
						<input type="checkbox"/> GLASS CUTTER	<input type="checkbox"/> TAPE/WIRE
						<input type="checkbox"/> KEY/LOCKPICK	<input type="checkbox"/> VICE GRIPS

INVOLVEMENT: CO-COMPLAINT OR DRIVER IN JUV. PARTY TO LEGAL OWNER IMPASSING PERSON OR OTHER TO REG. OWNER RP/REPORTING PARTY VI VICTIM VI WITNESS									
I N V O L V E D  	NAME	INVOLVEMENT	REL	AGE					
	1	VI		17					
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER ID. / STATE	PRIMARY LANGUAGE	
W	F	5'7	140	BLN	BLU				
RESIDENCE ADDRESS									
E-MAIL ADDRESS									
EMPLOYER / SCHOOL NAME									
OCCUPATION STUDENT (12TH GRADE)									
BUS. PHONE									
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER ID. / STATE	DOB	AGE
2	RP								
RESIDENCE ADDRESS									
E-MAIL ADDRESS									
EMPLOYER / SCHOOL NAME									
OCCUPATION									
BUS. PHONE									

V E H I C L E S	VICT. I.D.#	LICENSE NUMBER	YEAR	MAKE	MODEL	STYLE	COLOR(S)
	/						/
DESCRIPTION							
VICT. I.D.#	LICENSE NUMBER	YEAR	MAKE	MODEL	STYLE	COLOR(S)	
/						/	
DESCRIPTION							
SUSP. I.D.#	LICENSE NUMBER	YEAR	MAKE	MODEL	STYLE	COLOR(S)	
/						/	
DESCRIPTION							

D O C S	TECH REPORT	ARREST REPORT	SUPPLEMENT	FST / 11550 FORM	CHP180
	PHOTO REPORT	DECLARATION	STATEMENT	5150 W&I FORM	CHP555

REPORTING OFFICER	DATE / TIME WRITTEN	APPROVING SUPERVISOR
271\LEJA, DANIEL- SGT.	10/18/2017 WED 12:36	LEJA, DANIEL C

OCCURRED INCIDENT TYPE 261 PC- RAPE <b>CONFIDENTIAL</b>			SAN LEANDRO POLICE DEPARTMENT INVOLVED PARTIES			CASE NO. <b>2017-00047052</b>	PAGE 3 OF 6	
REPORTING OFFICER 271\LEJA, DANIEL - SGT.			DATE / TIME WRITTEN 10/18/2017 12:36		APPROVING SUPERVISOR LEJA, DANIEL C			
CODE: CO - COMPLAINANT DR - DRIVER IP - INVOLVED PARTY LO - LEGAL OWNER MP - MISSING PERSON OT - OTHER RO - REGISTERED OWNER RP - REPORTING PERSON VI - VICTIM WI - WITNESS								
NUM. <b>3</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]				DOB	AGE	
RACE W	SEX F	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO./ STATE	OTHER I.O./ STATE	PRIMARY LANGUAGE ENGLISH
RESIDENCE ADDRESS [REDACTED]						PRIMARY PHONE [REDACTED]		
E-MAIL ADDRESS						OTHER PHONE [REDACTED]		
EMPLOYER / SCHOOL NAME						OCCUPATION		
EMPLOYER / SCHOOL ADDRESS						BUS. PHONE		
NUM. <b>4</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]				DOB	AGE <b>53</b>	
RACE W	SEX M	HEIGHT 6'00	WEIGHT 200	HAIR GRY	EYES BRO	DRIVERS LIC. NO./ STATE CA	OTHER I.O./ STATE	PRIMARY LANGUAGE ENGLISH
RESIDENCE ADDRESS [REDACTED]						PRIMARY PHONE [REDACTED]		
E-MAIL ADDRESS						OTHER PHONE [REDACTED]		
EMPLOYER / SCHOOL NAME						OCCUPATION		
EMPLOYER / SCHOOL ADDRESS						BUS. PHONE		
NUM. <b>5</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]				DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO./ STATE	OTHER I.O./ STATE	PRIMARY LANGUAGE
RESIDENCE ADDRESS [REDACTED]						PRIMARY PHONE [REDACTED]		
E-MAIL ADDRESS						OTHER PHONE [REDACTED]		
EMPLOYER / SCHOOL NAME						OCCUPATION		
EMPLOYER / SCHOOL ADDRESS						BUS. PHONE		
NUM. <b>6</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]				DOB	AGE <b>53</b>	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO./ STATE	OTHER I.O./ STATE	PRIMARY LANGUAGE
RESIDENCE ADDRESS [REDACTED]						PRIMARY PHONE [REDACTED]		
E-MAIL ADDRESS						OTHER PHONE [REDACTED]		
EMPLOYER / SCHOOL NAME						OCCUPATION		
EMPLOYER / SCHOOL ADDRESS						BUS. PHONE		
NUM. <b>7</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]				DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO./ STATE	OTHER I.O./ STATE	PRIMARY LANGUAGE
RESIDENCE ADDRESS [REDACTED]						PRIMARY PHONE [REDACTED]		
E-MAIL ADDRESS						OTHER PHONE [REDACTED]		
EMPLOYER / SCHOOL NAME						OCCUPATION		
EMPLOYER / SCHOOL ADDRESS						BUS. PHONE		

OCCURRED INCIDENT TYPE 261 PC- RAPE <b>CONFIDENTIAL</b>			SAN LEANDRO POLICE DEPARTMENT SUSPECTS			CASE NO. <b>2017-00047052</b>	PAGE 4 OF 6
REPORTING OFFICER 271\LEJA, DANIEL- SGT.			DATE / TIME WRITTEN 10/18/2017 12:36		APPROVING SUPERVISOR LEJA, DANIEL C		
CODE: AR - ARRESTED SU - SUSPECT PS - POSSIBLE SUSPECT							
NUM. <b>1</b>	INVOLVEMENT <b>SU</b>	NAME <b>BECERRA, MARCO</b>				DOB	AGE (RANGE) <b>26</b>
RACE <b>H</b>	SEX <b>M</b>	HEIGHT -	WEIGHT -	HAIR <b>BRO</b>	EYES <b>BRO</b>	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE
RESIDENCE ADDRESS [REDACTED]							
E-MAIL ADDRESS [REDACTED]							
EMPLOYER / SCHOOL NAME <b>CITY OF SAN LEANDRO</b>				OCCUPATION <b>POLICE OFFICER</b>			
EMPLOYER / SCHOOL ADDRESS <b>835 E 14TH ST, SAN LEANDRO, CA 94577</b>				BUS. PHONE			
APPEARANCE		BUILD		DISTINCTIVE FEATURE		COMPLEXION	GLASSES
HAIR LENGTH		HAIR STYLE		HAIR TYPE		FACIAL SHAPE	BEARD
SPEECH		VOICE		HAND PREFERENCE		MARITAL STATUS	MILITARY SERVICE
S/N# #1: #2: #3:							
CLOTHING							
NUM. <b>1</b>	INVOLVEMENT <b>SU</b>	NAME <b>BECERRA, MARCO</b>				DOB	AGE (RANGE) -
RACE <b>H</b>	SEX <b>M</b>	HEIGHT -	WEIGHT -	HAIR -	EYES -	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE
RESIDENCE ADDRESS [REDACTED]							
E-MAIL ADDRESS [REDACTED]							
EMPLOYER / SCHOOL NAME				OCCUPATION			
EMPLOYER / SCHOOL ADDRESS				BUS. PHONE			
APPEARANCE		BUILD		DISTINCTIVE FEATURE		COMPLEXION	GLASSES
HAIR LENGTH		HAIR STYLE		HAIR TYPE		FACIAL SHAPE	BEARD
SPEECH		VOICE		HAND PREFERENCE		MARITAL STATUS	MILITARY SERVICE
S/N# #1: #2: #3:							
CLOTHING							
NUM. <b>1</b>	INVOLVEMENT <b>SU</b>	NAME <b>BECERRA, MARCO</b>				DOB	AGE (RANGE) -
RACE <b>H</b>	SEX <b>M</b>	HEIGHT -	WEIGHT -	HAIR -	EYES -	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE
RESIDENCE ADDRESS [REDACTED]							
E-MAIL ADDRESS [REDACTED]							
EMPLOYER / SCHOOL NAME				OCCUPATION			
EMPLOYER / SCHOOL ADDRESS				BUS. PHONE			
APPEARANCE		BUILD		DISTINCTIVE FEATURE		COMPLEXION	GLASSES
HAIR LENGTH		HAIR STYLE		HAIR TYPE		FACIAL SHAPE	BEARD
SPEECH		VOICE		HAND PREFERENCE		MARITAL STATUS	MILITARY SERVICE
S/N# #1: #2: #3:							
CLOTHING							

OCCURRED INCIDENT TYPE 288 PC- LEWD ACT W CHILD <b>CONFIDENTIAL</b>							SAN LEANDRO POLICE DEPARTMENT INVOLVED PARTIES			CASE NO. <b>2017-00047052</b>	PAGE 2 / OF 3
REPORTING OFFICER <b>284\ANTHONY, BRIAN - SGT.</b>							DATE / TIME WRITTEN <b>10/24/2017 09:29</b>	APPROVING SUPERVISOR <b>ANTHONY, BRIAN</b>			
CODE: CO - COMPLAINANT DR - DRIVER IP - INVOLVED PARTY LO - LEGAL OWNER MP - MISSING PERSON OT - OTHER RO - REGISTERED OWNER RP - REPORTING PERSON VI - VICTIM WI - WITNESS											
NUM. <b>01</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]							DOB	AGE	
RACE <b>H</b>	SEX <b>F</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE			PRIMARY LANGUAGE	
[REDACTED]										PRIMARY PHONE [REDACTED] [REDACTED]	
E-MAIL ADDRESS										OTHER PHONE	
EMPLOYER / SCHOOL NAME							OCCUPATION				
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE				
NUM. <b>02</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]							DOB	AGE	
RACE <b>H</b>	SEX <b>M</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE			PRIMARY LANGUAGE	
[REDACTED]										PRIMARY PHONE	
E-MAIL ADDRESS										OTHER PHONE	
EMPLOYER / SCHOOL NAME							OCCUPATION				
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE				
NUM. <b>03</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]							DOB	AGE	
RACE <b>H</b>	SEX <b>M</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE			PRIMARY LANGUAGE	
[REDACTED]										PRIMARY PHONE	
E-MAIL ADDRESS										OTHER PHONE	
EMPLOYER / SCHOOL NAME							OCCUPATION				
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE				
NUM. <b>04</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]							DOB	AGE	
RACE <b>H</b>	SEX <b>F</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE			PRIMARY LANGUAGE	
[REDACTED]										PRIMARY PHONE	
E-MAIL ADDRESS										OTHER PHONE	
EMPLOYER / SCHOOL NAME							OCCUPATION				
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE				
NUM. <b>05</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]							DOB	AGE	
RACE <b>H</b>	SEX <b>M</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE			PRIMARY LANGUAGE	
[REDACTED]										PRIMARY PHONE	
E-MAIL ADDRESS										OTHER PHONE	
EMPLOYER / SCHOOL NAME							OCCUPATION				
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE				
NUM. <b>06</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]							DOB	AGE	
RACE <b>H</b>	SEX <b>F</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE			PRIMARY LANGUAGE	
[REDACTED]										PRIMARY PHONE	
E-MAIL ADDRESS										OTHER PHONE	
EMPLOYER / SCHOOL NAME <b>SAN LEANDRO POLICE DEPARTMENT</b>							OCCUPATION				
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE				

OCCURRED INCIDENT TYPE 288 PC - LEWD ACT W CHILD <b>CONFIDENTIAL</b>			SAN LEANDRO POLICE DEPARTMENT INVOLVED PARTIES			CASE NO. <b>2017-00047052</b>	PAGE 3 OF 3		
REPORTING OFFICER 284\ANTHONY, BRIAN- SGT.			DATE / TIME WRITTEN 10/24/2017 09:29		APPROVING SUPERVISOR ANTHONY, BRIAN				
CODE: CO - COMPLAINANT OR - ORIVER IP - INVOLVED PARTY LO - LEGAL OWNER MP - MISSING PERSON OT - OTHER RO - REGISTERO OWNER RP - REPORTING PERSON VI - VICTIM WI - WITNESS									
NUM.	INVOLVMENT	NAME					DOB	AGE	
<b>07</b>	<b>IP</b>								
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE		PRIMARY LANGUAGE
W	M								
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME <b>SAN LEANDRO POLICE DEPARTMENT</b>			OCCUPATION <b>POLICE OFFICER</b>						
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	
NUM.	INVOLVMENT	NAME					DOB	AGE	
<b>08</b>	<b>IP</b>								
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE		PRIMARY LANGUAGE
H	F								
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME <b>SAN LEANDRO POLICE DEPARTMENT</b>			OCCUPATION <b>POLICE OFFICER</b>						
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	
NUM.	INVOLVMENT	NAME					DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE		PRIMARY LANGUAGE
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME			OCCUPATION						
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	
NUM.	INVOLVMENT	NAME					DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE		PRIMARY LANGUAGE
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME			OCCUPATION						
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	
NUM.	INVOLVMENT	NAME					DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE		PRIMARY LANGUAGE
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME			OCCUPATION						
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	

OCCURRED INCIDENT TYPE 261 PC- RAPE <b>CONFIDENTIAL</b>				SAN LEANDRO POLICE DEPARTMENT INVOLVED PARTIES				CASE NO. <b>2017-00047052</b>	PAGE 2 OF 6
REPORTING OFFICER <b>300\TENG, EN-GUANG (ABE) - SGT.</b>				DATE / TIME WRITTEN <b>10/23/2017 09:46</b>		APPROVING SUPERVISOR <b>TENG, EN-GUANG (ABE) A</b>			
CODE: CO - COMPLAINANT DR - DRIVER IP - INVOLVED PARTY LO - LEGAL OWNER MP - MISSING PERSON OT - OTHER RO - REGISTERED OWNER RP - REPORTING PERSON VI - VICTIM WI - WITNESS									
NUM. <b>01</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]						DOB	AGE
RACE <b>W</b>	SEX <b>F</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE	
RESIDENCE ADDRESS [REDACTED] PRIMARY PHONE [REDACTED]									
E-MAIL ADDRESS OTHER PHONE									
EMPLOYER / SCHOOL NAME <b>BAWAR</b>						OCCUPATION <b>ADVOCATE</b>			
EMPLOYER / SCHOOL ADDRESS BUS. PHONE									
NUM. <b>02</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]						DOB	AGE
RACE <b>W</b>	SEX <b>F</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE	
RESIDENCE ADDRESS PRIMARY PHONE									
E-MAIL ADDRESS OTHER PHONE									
EMPLOYER / SCHOOL NAME <b>HIGHLAND HOSPITAL</b>						OCCUPATION <b>PHYSICIAN'S ASSISTANT</b>			
EMPLOYER / SCHOOL ADDRESS BUS. PHONE									
NUM. <b>03</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]						DOB	AGE
RACE <b>W</b>	SEX <b>F</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE	
RESIDENCE ADDRESS PRIMARY PHONE									
E-MAIL ADDRESS OTHER PHONE									
EMPLOYER / SCHOOL NAME <b>SAN LEANDRO POLICE DEPARTMENT</b>						OCCUPATION <b>PST</b>			
EMPLOYER / SCHOOL ADDRESS BUS. PHONE									
NUM. <b>04</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]						DOB	AGE
RACE <b>W</b>	SEX <b>F</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE	
RESIDENCE ADDRESS PRIMARY PHONE									
E-MAIL ADDRESS OTHER PHONE									
EMPLOYER / SCHOOL NAME <b>SAN LEANDRO POLICE DEPARTMENT</b>						OCCUPATION <b>PSA</b>			
EMPLOYER / SCHOOL ADDRESS BUS. PHONE									
NUM. <b>05</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]						DOB	AGE
RACE <b>M</b>	SEX <b>F</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE	
RESIDENCE ADDRESS PRIMARY PHONE									
E-MAIL ADDRESS OTHER PHONE									
EMPLOYER / SCHOOL NAME <b>SAN LEANDRO POLICE DEPARTMENT</b>						OCCUPATION <b>SERGEANT</b>			
EMPLOYER / SCHOOL ADDRESS BUS. PHONE									
NUM. <b>06</b>	INVOLVEMENT <b>IP</b>	NAME [REDACTED]						DOB	AGE <b>15</b>
RACE <b>W</b>	SEX <b>F</b>	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE	
RESIDENCE ADDRESS PRIMARY PHONE									
E-MAIL ADDRESS OTHER PHONE									
EMPLOYER / SCHOOL NAME						OCCUPATION			
EMPLOYER / SCHOOL ADDRESS BUS. PHONE									

OCCURRED INCIDENT TYPE 261 PC - RAPE <b>CONFIDENTIAL</b>				SAN LEANDRO POLICE DEPARTMENT INVOLVED PARTIES				CASE NO. <b>2017-00047052</b>	PAGE 3 OF 6
REPORTING OFFICER 300\TENG, EN-GUANG (ABE) - SGT.				DATE / TIME WRITTEN 10/23/2017 09:46		APPROVING SUPERVISOR TENG, EN-GUANG (ABE) A			
CODE: CO - COMPLAINANT OR - DRIVER IP - INVOLVED PARTY LO - LEGAL OWNER MP - MISSING PERSON OT - OTHER RO - REGISTERED OWNER RP - REPORTING PERSON VI - VICTIM WI - WITNESS									
NUM. <b>07</b>	INVOLVEMENT <b>IP</b>	NAME: [REDACTED]						DOB	AGE
RACE W M	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE		PRIMARY LANGUAGE
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME								OCCUPATION	
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	
NUM. <b>08</b>	INVOLVEMENT <b>IP</b>	NAME: [REDACTED]						DOB	AGE <b>16</b>
RACE W M	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE		PRIMARY LANGUAGE
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME								OCCUPATION	
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	
NUM. <b>09</b>	INVOLVEMENT <b>IP</b>	NAME: [REDACTED]						DOB	AGE
RACE H F	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE		PRIMARY LANGUAGE
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME <b>SAN LEANDRO POLICE DEPARTMENT</b>								OCCUPATION <b>PST</b>	
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	
NUM. <b>10</b>	INVOLVEMENT <b>IP</b>	NAME: [REDACTED]						DOB	AGE <b>15</b>
RACE H F	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE		PRIMARY LANGUAGE
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME								OCCUPATION	
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	
NUM. <b>11</b>	INVOLVEMENT <b>IP</b>	NAME: [REDACTED]						DOB	AGE
RACE W M	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE		PRIMARY LANGUAGE
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME <b>SAN LEANDRO POLICE DEPARTMENT</b>								OCCUPATION <b>PST</b>	
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	
NUM. <b>12</b>	INVOLVEMENT <b>IP</b>	NAME: [REDACTED]						DOB	AGE
RACE F	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.O. / STATE		PRIMARY LANGUAGE
RESIDENCE ADDRESS								PRIMARY PHONE	
E-MAIL ADDRESS								OTHER PHONE	
EMPLOYER / SCHOOL NAME								OCCUPATION	
EMPLOYER / SCHOOL ADDRESS								BUS. PHONE	

OCCURRED INCIDENT TYPE 261 PC- RAPE <b>CONFIDENTIAL</b>				SAN LEANDRO POLICE DEPARTMENT INVOLVED PARTIES				CASE NO. <b>2017-00047052</b>	PAGE 6 / DF 6	
REPORTING OFFICER 300\TENG, EN-GUANG (ABE)- SGT.				DATE / TIME WRITTEN 10/23/2017 09:46		APPROVING SUPERVISOR TENG, EN-GUANG (ABE) A				
CODE: CO - COMPLAINANT DR - DRIVER IP - INVOLVED PARTY LO - LEGAL OWNER MP - MISSING PERSON OT - OTHER RO - REGISTERED OWNER RP - REPORTING PERSON VI - VICTIM WI - WITNESS										
NUM. <b>13</b>	INVOLVEMENT <b>IP</b>	NAME						DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE		
E-MAIL ADDRESS										
EMPLOYER / SCHOOL NAME							OCCUPATION			
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE			
NUM.	INVOLVEMENT	NAME						DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE		
RESIDENCE ADDRESS										
E-MAIL ADDRESS										
EMPLOYER / SCHOOL NAME							OCCUPATION			
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE			
NUM.	INVOLVEMENT	NAME						DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE		
RESIDENCE ADDRESS										
E-MAIL ADDRESS										
EMPLOYER / SCHOOL NAME							OCCUPATION			
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE			
NUM.	INVOLVEMENT	NAME						DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE		
RESIDENCE ADDRESS										
E-MAIL ADDRESS										
EMPLOYER / SCHOOL NAME							OCCUPATION			
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE			
NUM.	INVOLVEMENT	NAME						DOB	AGE	
RACE	SEX	HEIGHT	WEIGHT	HAIR	EYES	DRIVERS LIC. NO. / STATE	OTHER I.D. / STATE	PRIMARY LANGUAGE		
RESIDENCE ADDRESS										
E-MAIL ADDRESS										
EMPLOYER / SCHOOL NAME							OCCUPATION			
EMPLOYER / SCHOOL ADDRESS							BUS. PHONE			



## SAN LEANDRO POLICE DEPARTMENT

## POLICE REPORT

901 E. 14TH STREET  
SAN LEANDRO, CA 94577  
(510) 577-3217 RECORDS

CASE NO.

2017-00047052

PAGE  
5 OF  
6

PRIMARY OFFENSE / OCCURRED INCIDENT

261 PC - RAPE

CONFIDENTIAL

REPORTING OFFICER

271\LEJA, DANIEL - SGT.

DATE / TIME WRITTEN

10/18/2017 12:36

APPROVING SUPERVISOR

LEJA, DANIEL C

SEE INVESTIGATIVE SUPPLEMENTAL REPORTS FOR FURTHER DETAILS.

NARRATIVE



**SAN LEANDRO POLICE DEPARTMENT**  
**POLICE REPORT**

901 E. 14TH STREET  
SAN LEANDRO, CA 94577  
(510) 577-3217 RECORDS



CASE NO.

**2017-00047052**

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1  
OF  
6

PRIMARY OFFENSE / OCCURRED INCIDENT

261 PC - RAPE

**CONFIDENTIAL**

REPORTING OFFICER

300\TENG, EN-GUANG (ABE)- SGT.

DATE / TIME WRITTEN

10/23/2017 09:46

APPROVING SUPERVISOR

TENG, EN-GUANG (ABE) A

SUBJECTS and PROPERTY sections only. No narrative.

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SAN LEANDRO POLICE DEPARTMENT  
POLICE REPORT

901 E. 14TH STREET  
SAN LEANDRO, CA 94577  
(510) 577-3217 RECORDS



CASE NO.

2017-00047052

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1 OF  
3

## SUPPLEMENTAL NARRATIVE

PRIMARY OFFENSE / OCCURRED INCIDENT  
288 PC - LEWD ACT W CHILD

CONFIDENTIAL

REPORTING OFFICER  
284\ANTHONY, BRIAN- SGT.DATE / TIME WRITTEN  
10/24/2017 09:29APPROVING SUPERVISOR  
ANTHONY, BRIAN

THE PURPOSE OF THIS SUPPMEMTAL REPORT IS TO ADD INVOLVED PARTIES TO THE REPORT.

NOTHING FURTHER

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OCCURRED INCIDENT TYPE 261 PC - RAPE <b>CONFIDENTIAL</b>				SAN LEANDRO POLICE DEPARTMENT PROPERTY CONTROL			CASE NO. <b>2017-00047052</b>	PAGE 1 OF 1
REPORTING OFFICER <b>300\TENG, EN-GUANG (ABE) - SGT.</b>				DATE / TIME WRITTEN <b>10/14/2017 17:52</b>	APPROVING SUPERVISOR <b>TENG, EN-GUANG (ABE) A</b>			
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DESTRUCTION E-EVIDENCE F-FOUND K-SAFEKEEPING G-DAMAGED L-LOST O-OBSERVATION R-RECOVERED S-STOLEN T-STOLEN/RECOVERED								
NUM. <b>01</b>	CODE <b>E</b>	QTY <b>1</b>	SUB <b>YES</b>	TYPE <b>MEDIA- AUDIO, VIDEO</b>	SERIAL #	VALUE <b>\$11.01</b>	SPECIAL HANDLING	
	<b>DESCRIPTION</b> DISC WITH PRETEXT PHONE CALLS							
NUM. <b>02</b>	CODE <b>E</b>	QTY <b>1</b>	SUB <b>YES</b>	TYPE <b>LIVESTOCK</b>	SERIAL #	VALUE <b>\$11.01</b>	SPECIAL HANDLING	
	<b>DESCRIPTION</b> SART EXAMINATION EVIDENCE COLLECTION KIT					<b>BIOHAZARD</b>		
NUM. <b>03</b>	CODE <b>E</b>	QTY <b>1</b>	SUB <b>YES</b>	TYPE <b>DOCUMENTS</b>	SERIAL #	VALUE <b>\$11.01</b>	SPECIAL HANDLING	
	<b>DESCRIPTION</b> 8 PAGE PACKET OF SART EXAMINATION DOCUMENTS							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
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NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							
NUM.	CODE	QTY	SUB	TYPE	SERIAL #	VALUE	SPECIAL HANDLING	
	<b>DESCRIPTION</b>							







Alameda County  
**District Attorney's Office**  
Nancy E. O'Malley, District Attorney

**BODY WORN CAMERA/ DASHCAM VIDEO**

Agency: SAN LEANDRO PD  
Report No.: 2017-00047052  
Defendant: BECERRA, MARCO

Completed by Police Agency				Completed by DA	
OFFICER'S NAME AND SERIAL #	BWC WORN	BWC ACTIVATED	DASHCAM ACTIVATED	PROVIDED AT CHARGING	REQUEST AT CHARGING
LEJA, DANIEL- 271	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TENG, EN-GUANG (ABE)- 300	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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# SAN LEANDRO POLICE DEPARTMENT

## Criminal Investigation Division

### SPECIAL VICTIMS UNIT – INVESTIGATIVE FOLLOW-UP

#### Case # 2017-47052

#### PRELIMINARY INVESTIGATION AND NOTIFICATION OF CRIMINAL INVESTIGATION:

On Sunday 101517, approximately 1330 hours, I reviewed a text message from Lt. Benabou asking me to contact him regarding an investigation. I replied to the text message and Lt. Benabou responded that he would call me in a couple of hours and brief me on an investigation.

Approximately 1530 hours I received a phone call from Lt. Benabou who was traveling with Capt. Torres. They spoke on speaker phone and in summary stated the following:  
On Friday 101317 the patrol Watch Commander, later identified as Lt. Brandt, received a CPS cross report from the counselor of one of SLPD's Explorers, later identified as [REDACTED] (17 years old). The CPS cross report involved an allegation that [REDACTED] was having sexual intercourse with Officer Marco Becerra who is one of the advisors to the SLPD Police Explorer Program. I was told their sexual relationship has been taking place over the course of approximately one month and they last had sexual intercourse on Thursday 101217. Sgt. Bob Sanchez and Sgt. Abe Teng, who are both former SVU investigators, were temporarily assigned the criminal investigation. On Saturday 101417 they had a forensic interview completed with the victim which was arranged at CALICO. During the forensic interview the victim disclosed how she and Officer Becerra engaged in sexual intercourse and other sexual acts during ten separate encounters. All of the sexual acts were committed when Officer Becerra was off duty. The investigators worked with the victim to make a pretext phone call to Officer Becerra in which he never denied committing any sexual acts with the victim, but also never admitted to it. Since Officer Becerra was working day shift as a patrol officer on 101417 he was called into the office of Professional Standards Lt. Molettieri. Sgt. Khan obtained Officer Becerra's work cell phone and his personal cell phone as well as the passcodes for the cell phones. Lt. Molettieri placed Officer Becerra on administrative leave and he was eventually escorted off of the property. The victim was transported to Highland Hospital where a SART was completed and later submitted by Sgt. Teng. Sgt. Brian Anthony also assisted in the investigation by obtaining a search warrant for Officer Becerra's cell phones. A consent search of the victim's cell phone was also obtained. During a search of all of the cell phones, message correspondences on Officer Becerra's personal cell phone with the victim were located. Similar message correspondence on the victim's cell phone were located, as well as sexually explicit images the victim and Officer Becerra had exchanged via text message. Officer Becerra deleted the sexually explicit text message images from the victim, but the victim still had those images on her cell phone.

After getting briefed about the investigation thus far, Lt. Benabou and Capt. Torres told me I would be the primary investigator upon returning to work on Wednesday 101817. They also assigned Sgt. Brian Anthony and Sgt. Young to assist in the investigation. Since myself and the majority of Department management and supervisors were en route to a two day leadership retreat it was determined the investigation would continue upon my return from this retreat. Lt.



## SAN LEANDRO POLICE DEPARTMENT Criminal Investigation Division

### SPECIAL VICTIMS UNIT – INVESTIGATIVE FOLLOW-UP Case # 2017-47052

Benabou and Capt. Torres told me that I would be meeting with them and the assigned criminal investigators later in the day upon our arrival at the retreat location in Half Moon Bay.

Later in the evening I met with Capt. Torres, Lt. Benabou, Sgt. Young, Sgt. Sanchez, and Sgt. Teng. We discussed the known details of the case thus far which had already been discussed during my initial briefing by Capt. Torres and Lt. Benabou. One of the items which was still needed was a search warrant for Officer Becerra's locker in the SLPD men's locker room which would be completed by Sgt. Anthony. In addition we discussed the need to interview all possible witnesses including everyone involved in the SLPD Police Explorer program (see Sgt. Sanchez, Sgt. Teng and Sgt. Anthony's supplemental reports for further details).

Shortly after arriving at the retreat, all present SLPD management and supervisors were advised there was a pending criminal investigation involving Officer Beeerra and how he had been placed on administrative leave.

Over the course of the two day retreat Capt. Torres called most of the guardians for the juvenile Police Explorers in order to make them aware the SLPD Police Explorer Program was being temporarily suspended while a criminal investigation takes place. In addition these guardians were told that their child would be contacted in the next couple of days so they could be interviewed.

Throughout this retreat Capt. Torres, Lt. Benabou, the assigned investigators and I would meet to discuss various aspects of the criminal investigation and what investigative tasks needed to be completed. Capt. Torres also arranged for Sgt. Teng to be temporarily assigned to the Criminal Investigation Division in order to assist on this criminal investigation.

At one point during the retreat it was discovered that Supervisor [REDACTED] and other SLPD staff, identified as PST [REDACTED] and PST [REDACTED] were possibly aware of Officer Becerra's relationship with the victim.

Lt. Benabou arranged for another criminal investigation briefing on the morning of 101817.



## SAN LEANDRO POLICE DEPARTMENT Criminal Investigation Division

### SPECIAL VICTIMS UNIT – INVESTIGATIVE FOLLOW-UP **Case # 2017-47052**

#### INVESTIGATION:

On Wednesday 101817, approximately 0645 hours, I arrived at SLPD CID and discovered the report from the SART, the EPO and a CALICO DVD with footage of the victim's interview. These had been obtained by Sgt. Teng and Sgt. Sanchez on Saturday 101417 and left on my desk for my investigation.

Approximately 0745 hours, a criminal investigation briefing regarding this case was held. Present at the briefing was Capt. Torres, Lt. Benabou, Sgt. Young, Sgt. Anthony, Sgt. Sanchez, Sgt. Teng and myself. During this briefing we discussed the need to interview all possible witnesses which included the following individuals associated with the SLPD Police Explorer program: [REDACTED] (Sergeant in Charge of SLPD Police Explorer Program), [REDACTED] (SLPD Police Explorer Program Advisor), [REDACTED] (former SLPD Police Explorer Program Advisor), [REDACTED] (SLPD Police Explorer Program Advisor), [REDACTED] (SLPD Police Explorer Program Advisor), [REDACTED] (SLPD Police Explorer), [REDACTED] (SLPD Police Explorer) and [REDACTED] (SLPD Police Explorer).

In addition to the possible witnesses identified in the SLPD Police Explorer program we identified [REDACTED] and [REDACTED] as possible witnesses who also needed to be interviewed.

During the briefing it was determined Sgt. Sanchez was no longer needed to assist in the criminal investigation (see Sgt. Sanchez's supplemental report further details).

I drafted an investigative strategy for the investigation which included interviewing all possible witnesses; arranging to meet with the victim and her parents so they could be further interviewed; and arranging to meet with Officer Becerra in order to obtain a statement from him.

At the conclusion of this briefing I met with Sgt. Anthony, Sgt. Young, and Sgt. Teng. Since Sgt. Teng is a former SVU investigator I decided to have him partner with Sgt. Young for half of the possible witness interviews while Sgt. Anthony and I would partner for the other half of the possible witness interviews. We then drafted a list of twenty-one questions which would serve as a guideline in interviewing the SLPD Police Explorers. We also discussed interview strategies involving all of the possible witnesses.



# SAN LEANDRO POLICE DEPARTMENT

## Criminal Investigation Division

### SPECIAL VICTIMS UNIT – INVESTIGATIVE FOLLOW-UP

#### Case # 2017-47052

##### POSSIBLE WITNESS INTERVIEWS:

All of the interviews with the possible witnesses to this criminal investigation were video recorded by PVRD which was later downloaded, titled and properly classified.

##### Officer [REDACTED] interview Part I:

Approximately 1025 hours Sgt. Anthony and I met with [REDACTED] in a conference room in the south offices. After advising [REDACTED] that he was being interviewed as a possible witness in a criminal investigation I asked him a series of questions about his role as an Advisor for the SLPD Police Explorer Program and any observations he had involving Officer Becerra and SLPD Police Explorer [REDACTED]

In summary [REDACTED] stated the following:

He has been an advisor for the SLPD Police Explorer Program for the past two to three years. Officer Becerra is also an advisor for the SLPD Police Explorer Program and they work closely together with other Explorer Advisors to supervise and train the Police Explorers in the program. They regularly meet with the Explorers every other Thursday from 1800 till 2000 hours and engage in a variety of police related training such as defensive tactics, search and seizure, studying the various criminal codes, studying radio codes, physical training and other activities related to being a police officer.

Regarding [REDACTED] observations of the victim, he and the other advisors were made aware of the fact that [REDACTED]. When the victim [REDACTED]

[REDACTED] and Officer Becerra spoke several times about the victim's [REDACTED]. They also recognized how the victim always wanted to be around the advisors, especially [REDACTED] and Officer Becerra. This created the problem of perceived favoritism with the other SLPD Police Explorers which caused several of the Explorers not to get along.

[REDACTED] recognized the victim had issues with boundaries and worked with Officer Becerra and the other advisors to address these issues involving the victim. [REDACTED] also stated how [REDACTED] met with him concerning this behavior which he and Officer Becerra were already addressing.

Other than the aforementioned details from [REDACTED], he never witnessed any inappropriate or unprofessional behavior between the victim and Officer Becerra.

##### [REDACTED] interview Part I and Part II:

After completing [REDACTED] interview we arranged to meet with [REDACTED] in the South Office conference room.



# SAN LEANDRO POLICE DEPARTMENT

## Criminal Investigation Division

### SPECIAL VICTIMS UNIT – INVESTIGATIVE FOLLOW-UP

#### Case # 2017-47052

Approximately 1140 hours I admonished [REDACTED] about being a possible witness in a criminal investigation she stated the following:

On the day of the Sausage and Suds event in San Leandro (100117) [REDACTED] was at this event and saw the victim arrive in order to assist in the event with other SLPD Police Explorers. [REDACTED] was with [REDACTED] and [REDACTED] at the time when they observed the victim. [REDACTED] told her how she thought it was strange how the victim was always wanting to be around Officer Becerra and would openly talk about texting Officer Becerra late at night. Later that week on 100517 [REDACTED] was meeting with [REDACTED] and [REDACTED]. The subject of the victim's odd behavior with Officer Becerra was brought up and [REDACTED] stated it was also odd how the victim was going on frequent ride alongs mostly with Officer Becerra.

Shortly after completing [REDACTED] interview she asked to meet with us again because she forgot to mention something. Sgt. Anthony and I escorted [REDACTED] back to the conference room and took another recorded statement. [REDACTED] said that earlier this morning, approximately 0730 hours, [REDACTED] told her that shortly after the Cherry Festival community event in May she recalled how inappropriate the victim behaved around Officer Becerra. When Officer Becerra arrived at the event [REDACTED] noticed how the victim would run up to him and hug him. [REDACTED] told [REDACTED] how "eelingy" the victim was with Officer Becerra which made her concerned. [REDACTED] later spoke with [REDACTED] and told him about this matter.

#### SLPD Police Explorer [REDACTED] interview:

Approximately 1439 hours we met with SLPD Police Explorer [REDACTED] at her house. After introducing ourselves to [REDACTED] mother we conducted a private recorded interview with her.

In summary [REDACTED] stated the following:

She has been in the SLPD Police Explorer Program for the past year and half. Pertaining to any observations regarding the victim [REDACTED] said she and Explorer [REDACTED] got into trouble for "trash talking" about the victim. [REDACTED] described how loud and obnoxious the victim would get which caused them not to care for her. This problem was mediated and they were then able to get along with the victim. The only other problem that [REDACTED] reported about the victim was how at one community event the victim was disrespectful to [REDACTED] in how she spoke to her. [REDACTED] hen described how at the recent Department Awards and Recognition Ceremony the victim was disrespectful to Officer Becerra by stating how her mother hated him, but liked [REDACTED]. [REDACTED] was surprised the victim would speak to Officer Becerra this way.



## SAN LEANDRO POLICE DEPARTMENT Criminal Investigation Division

### SPECIAL VICTIMS UNIT – INVESTIGATIVE FOLLOW-UP Case # 2017-47052

[REDACTED] also described how the victim is close to both [REDACTED] and Officer Becerra and it appears they communicated off duty together based on some of the topics she heard them discussing. [REDACTED] described that it just appeared the victim was very comfortable speaking with both [REDACTED] and Officer Becerra.

Other than the aforementioned details summarized in [REDACTED] statement she didn't report seeing any other inappropriate behavior between Officer Beeerra and the victim.

#### SLPD Police Explorer [REDACTED] interview:

Approximately 1536 hours we met with SLPD Police Explorer [REDACTED] at her house. After introducing ourselves to [REDACTED] mother we conducted a private recorded interview with her.

In summary [REDACTED] stated the following:

She has been with the SLPD Police Explorer Program for the past year and a half. Since being in the program she and [REDACTED] had some problems with the victim since it appeared the victim was being favored by the Explorer Advisors. This matter was mediated and since then they have been able to get along with the victim.

[REDACTED] would often receive rides from Officer Becerra to and from some Explorer meetings or during some physical training sessions she and a couple of other Explorers [REDACTED] and [REDACTED] would all attend together at the San Leandro Marina prior to going to the Police Explorer Academy over the summer.

[REDACTED] reported that she didn't see anything inappropriate between the victim and Officer Becerra.

#### SLPD Police Explorer [REDACTED]

Approximately 1618 hours we met with former SLPD Police Explorer [REDACTED] at his house and conducted a private recorded interview.

In summary [REDACTED] stated the following:

He recently finished his time in the SLPD Police Explorer Program after being active in the program for six years. [REDACTED] recalled the victim as being very hyper, loud and others complained she was rude. As far as the interactions between the advisors and the victim he remembered how both Officer Becerra and [REDACTED] paid the victim special attention. As a



## SAN LEANDRO POLICE DEPARTMENT

### Criminal Investigation Division

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result this gave the appearance of favoritism which caused problems with some of the other Explorers including [REDACTED]

[REDACTED] reported that he didn't see anything inappropriate between the victim and Officer Becerra.

##### SLPD Police Explorer [REDACTED]

On Thursday 10/19/17, approximately 0939 hours, we met with SLPD Police Explorer [REDACTED] at his school. [REDACTED] in San Lorenzo and conducted a private recorded interview in one of the administrative offices.

In summary [REDACTED] stated the following:

[REDACTED] joined the SLPD Police Explorer Program about one year ago. He has had a great experience with the program thus far and has reached the rank of Explorer Sergeant. [REDACTED] knows the victim from the Explorer Program and recalled that she has had some problems since being in the program. One incident included the victim yelling at [REDACTED] which was brought to the attention of [REDACTED]. [REDACTED] also said he and other Explorer Leaders discussed the victim's problems and he was [REDACTED] on. When the victim [REDACTED] and the other Explorer leaders have been working with the victim to address these problems. In regards to the victim's interaction with the Explorer Advisors [REDACTED] described has as being loud and "brunt" when she spoke to the Advisors.

[REDACTED] reported that he didn't see anything inappropriate between the victim and Officer Becerra.

##### SLPD Police Explorer [REDACTED]

On Thursday 10/19/17, approximately 1023 hours, we met with SLPD Police Explorer [REDACTED] at his house. After introducing ourselves to his grandparents we met with [REDACTED] in private and took a recorded statement.

In summary [REDACTED] stated the following:

[REDACTED] joined the SLPD Police Explorer Program about one year ago and has enjoyed his experience thus far. Regarding his observations of the victim [REDACTED] stated she was nice, but would act a "little crazy sometimes" which he described as being loud and inappropriate in front of everyone. [REDACTED] specifically described how the victim might use bad words (profanity) in



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front of everyone and the Explorer leaders would address this inappropriate behavior with her. When the victim interacts with the Explorer Advisors she appears relaxed around them.

[REDACTED] stated that he didn't see anything inappropriate between the victim and Officer Becerra.

#### interview Part II:

On Thursday 10/9/17, approximately 1505 hours, we met with [REDACTED] in the Chief's Conference room at SLPD. We learned from Sgt. Teng and Sgt. Young that [REDACTED] refused to take any more SLPD Police Explorers on a ride along after the victim sent him a late night text message inquiring about a possible injured officer. This was discovered during their interview with [REDACTED] and [REDACTED] wanted to ask [REDACTED] about this incident as well as to see if there were any more investigative leads. In addition they discovered how Explorers will sometimes draft a memo if there is a problem and forward it up the Explorer leadership chain of command which ultimately ends with the Explorer Advisors.

Upon meeting with [REDACTED] in summary he stated the following:

He learned the victim sent a text message late at night to [REDACTED] asking if an officer had been injured. As a result [REDACTED] said he no longer wanted to take any Explorers on a ride along. [REDACTED] spoke with the Explorer leadership about this problem as well as the victim. This matter was resolved only through verbal counseling with the victim. The problem was never formally documented.

When we discussed the issue of Explorers drafting memos about any subject they wanted to address within the Explorer Program he described how this is done in order for the Explorers to address a certain subject with Explorer leadership and or the Explorer Advisors. If the matter can't be resolved by the Explorer Leadership or Explorer Advisors then the matter would be brought to the attention of [REDACTED].

All Explorer Advisors were made aware that the victim [REDACTED] in order to address certain [REDACTED] The fact the victim [REDACTED] was known amongst the Explorer Advisors.



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#### [REDACTED] former SLPD Police Explorer Advisor] interview:

On Thursday [REDACTED], approximately 1518 hours, Sgt. Anthony and I met with [REDACTED] in the Chief's Conference room in order to obtain her recorded statement.

In summary [REDACTED] stated the following:

[REDACTED] began working as an Advisor with the SLPD Police Explorer Program since late 2015 to early 2016 when she was a PST. She became an Explorer Advisor at the same time as Officer Becerra. [REDACTED] had the ancillary duties as an Explorer Advisor for approximately one year until she was hired as a Police Recruit and began the Police Academy in January of this year.

While serving as an Explorer Advisor [REDACTED] recalled the victim being in the SLPD Police Explorer Program. She and [REDACTED] (former SLPD Police Explorer) noticed the victim was too attached to male officers. [REDACTED] described how the victim only sought the attention of only the two male police officer advisors, Officer Becerra and [REDACTED]. [REDACTED] was concerned about this and brought it to [REDACTED] attention. [REDACTED] told her he was already aware of this and was dealing with this issue.

Although [REDACTED] thought it was unusual for the victim to only seek the attention of [REDACTED] and Officer Becerra she never saw anything inappropriate occur between the victim and Officer Becerra.

We also discussed how Police Explorers will complete a memo in order to address a problem within the SLPD Police Explorer Program. [REDACTED] described how the memo's are scanned into an electronic folder, but some hard copies are kept in the Explorer Office file cabinet.



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#### VICTIM FOLLOW UP INTERVIEW AND VICTIM'S PARENTS INTERVIEWS:

I had arranged for the victim and her parents to be interviewed separately at CALICO, 524 Estudillo Avenue, at 1700 hours. I decided to have Sgt. Young and Sgt. Anthony interview Mr. and Mrs. [REDACTED] while Sgt. Teng and I interviewed the victim. In addition to the interviews I also wanted to take the victim on a drive to the San Leandro Marina in order to point out the exact location of their sexual encounters (see Sgt. Anthony's and Sgt. Young's supplemental reports regarding the interview with the victim's parents for further details).

Prior to meeting with them I watched the victim's initial interview at CALICO on 101417. In summary the victim, [REDACTED] stated the following:

The victim and Officer Becerra have been engaged in a sexual relationship over the course of approximately one month. They discussed waiting to be in a sexual relationship until she turned 18. However about one month ago the victim was engaged in a text message conversation with Officer Becerra. During this text message conversation the victim told Officer Becerra that she liked him and he replied that he liked her as well. During the text message conversation the victim sent Officer Becerra images of her breasts and buttocks. Officer Becerra in response sent her images of his penis. They then arranged to meet each other at a separate location not at their houses since she lived at home with her parents and Officer Becerra lived with his parents. They arranged to meet near the San Leandro Marina. Officer Becerra drove his mom's car and she drove her own car to the meet location. She got into the car with Officer Becerra and they began making out which led to them engaging in sexual acts. Officer Becerra placed his fingers in her vagina and eventually they had full sexual intercourse which the victim described as Officer Becerra inserting his penis into her vagina (without a condom). Officer Becerra ejaculated inside her at the end of the sexual intercourse. After that first sexual encounter with Officer Becerra they arranged to meet nine other times. On two occasions they met at her house, while her parents were gone and the other seven times were at the same location near the San Leandro Marina. The victim described how during these other nine encounters they engaged in sexual intercourse which was proceeded by oral sex and Officer Becerra digitally penetrating her vagina. On one occasion at the victim's house Officer Becerra sodomized the victim as well as engaging in the previously described sexual acts and sexual intercourse.

#### Victim, [REDACTED] Follow up interview:

Approximately 1730 hours Sgt. Teng and I met with the victim at CALICO in the same interview room where she had already been previously interviewed.



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In summary the victim, [REDACTED] stated the following:

About one month ago she and Officer Marco Becerra mutually started their relationship via a text message conversation. The victim also sent sexually explicit images of her genitalia, buttocks and breasts to Officer Beeerra via text. Officer Becerra also sent sexually explicit images of his penis to the victim in reply. Sometimes the victim would ask Officer Becerra for more images of his penis which he would send.

Within several days of exchanging these sexually explicit text messages they corresponded via text messaging and arranged to meet at the San Leandro Marina. They arranged to meet in the afternoon, approximately 1330 hours, and engaged in sexual intercourse in his mother's white car. The victim then recounted the various sexual acts she and Officer Becerra engaged in which had already been disclosed during the victim's first interview. The victim stated she and Officer Becerra engaged in sexual intercourse twelve times. The victim described the sexual intercourse as Officer Beeerra placing his penis in her vagina. In addition to sexual intercourse the victim and Officer Becerra also engaged in mutual oral sex on each other, Officer Becerra would digitally penetrate her vagina, one time Officer Becerra digitally penetrated her anus and one time Officer Becerra sodomized her when they met at her house. During one of the twelve sexually intercourse encounters with Officer Becerra he used a condom, but took it off to complete sexual intercourse. Most of the time Officer Becerra would ejaculate inside her vagina, but sometimes he would ejaculate in her mouth. During the sexual encounters at the San Leandro Marina they would sometimes have sexual intercourse in her car and the other times they would have sexual intercourse in Officer Becerra's car or his mother's car if he was driving it.

During all of the described sexual encounters between the victim and Officer Beeerra they all occurred when Officer Beeerra was off duty. They would arrange to meet at the San Leandro Marina or her house via a text message conversation. The victim stated at no time did Officer Becerra use his position as a police officer to coerce her into having sex with him. In addition neither was Officer Beeerra in uniform nor was there any police uniform/gear insight during these sexual encounters.

After discussing all of the sexual encounters involving the victim and Officer Becerra both Sgt. Teng and I asked the victim several questions about the SLPD Police Explorer Program. I asked her if there had been any instances where there were any problems with her and the other Explorers. The victim described how none of the other Explorers liked her. The victim even described how one female Explorer quit the program because she thought the victim was too pretty. In addition [REDACTED] and [REDACTED] don't get along with her and would often "talk shit" about her. The victim and the other Explorers mediated this dispute and have been able to get along with each other since then. However the victim described that she just doesn't fit in well with the other Explorers.



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After completing our interview with the victim I met with Sgt. Young and Sgt. Anthony who had just finished interviewing Mr. [REDACTED]. Sgt. Anthony told me the victim's father had no idea about his daughter's relationship with Officer Becerra. Sgt. Anthony also described one incident in which Officer Becerra came over to their house on a weekend afternoon in order to fill up his water bottle then left. Mr. [REDACTED] thought it was a little odd that Officer Becerra did this, but there was nothing else like this which occurred. I later discovered that nothing of evidentiary value was discovered during their interview with Mrs. [REDACTED]

After being briefed by Sgt. Anthony and Sgt. Young, both Sgt. Teng and I drove the victim to the area of the San Leandro Marina in order to identify the location where she and Officer Becerra met to engage in sexual intercourse. Also present with us was Deputy District Attorney Joni Leventis. She sat in the back seat with the victim, while I drove and Officer Teng sat in the front passenger seat.

Before proceeding to the San Leandro Marina, I returned the victim's cell phone to her. I returned her cell phone since she and her parents were asking for it to be returned as soon as possible and it had just been returned to our custody after being processed by the Alameda County Sheriff Department's Crime Lab. However I failed to examine the cell phone contents myself before giving her the phone. It was quickly discovered by the victim that the sexually explicit images of both the victim and Officer Becerra were still on her cell phone. We had the victim delete her own sexually explicit images then Sgt. Teng went through the camera roll on her cell phone and deleted any sexually explicit images of Officer Becerra. The cell phone was then returned to the victim.

Upon driving to the San Leandro Marina the victim directed us to the parking lot of El Torro's, 5 Monarch Bay Drive. She pointed to the north parking lot area and said this was the general area where she and Officer Becerra would often meet in order to engage in the sexual acts she had described to us.

We then drove back to CALICO and re-united the victim with her parents. After having a conversation with Mr. and Mrs. [REDACTED] they left and returned home. The DVD of the victim's follow up interview was later submitted into SLPD Property as evidence. Sgt. Anthony later downloaded his PVRD footage of both Mr. and Mrs. [REDACTED] interview (see Sgt. Anthony's and Sgt. Young's supplemental report for further details).



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#### OFFICER MARCO BECERRA BADGE 355 INTERVIEW:

On Friday 10/20/17 approximately 0945 hours Sgt. Teng and I drove to the law offices of RLS. Rains Lucia Stern St. Phalle & Silver, PC located at 2300 Contra Costa Boulevard, Pleasant Hill, in order to interview Officer Marco Becerra.

Prior to us driving to this location the CID Commander, Lt. Benabou, had spoken to Officer Becerra's attorney, Mike Rains. I was advised via Lt. Benabou that Officer Becerra had consulted with his attorney and agreed to give an interview at 1030 hours.

Approximately 1015 hours Sgt. Teng and I arrived at the law firm and were escorted to a conference room. We then met with Officer Becerra's attorney Mr. Mike Rains. Mr. Rains explained how Officer Becerra was still willing to give a statement and confess to the crimes he committed. A short time later Mr. Rains escorted Officer Becerra into the same conference room. We shook hands with Officer Becerra and thanked him for meeting with us. Officer Becerra took a seat across the table from Sgt. Teng and I. Mr. Rains sat next to Officer Becerra. Before they entered the office I turned on my PVRD and placed it on the table across from where Officer Becerra sat.

I first explained the interview process with Officer Becerra and how we planned to proceed. I then admonished Officer Becerra per Miranda using a SLPD Statement form and he said he understood his rights. Sgt. Teng and I then signed the form as witnesses and had Officer Becerra sign the statement form acknowledging he understood all of his rights.

Once Officer Becerra had been admonished per Miranda he gave a full statement based on the questions Sgt. Teng and I asked.

The following is a summary of Officer Becerra's statement:

I asked Officer Becerra if he knew what criminal charges he was being investigated for. Officer Becerra responded by telling me he believed the investigation had to do with him having sex with a minor. I acknowledged that he was correct in his answer and we were in fact investigating him in that regard to this crime.

I started off by asking Officer Becerra how long he has been an officer for the San Leandro Police Department. Officer Becerra responded by telling me he has been an officer for three years. At this point Officer Becerra became upset, began to cry and took a few moments to compose himself. Once Officer Becerra composed himself he answered a few questions about when he graduated from the police academy (October 2012) and what other law enforcement agencies he had been employed with (Contra Costa County Sheriff's Department) prior to being employed by the City of San Leandro as a Police Officer.



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The next course of questions I asked Officer Becerra had to do with his employment history at the San Leandro Police Department, what division he was assigned to, what shifts he has worked and what ancillary assignments he has held. Officer Becerra responded by stating he worked different patrol shifts and was a member of the Department's Color Guard, Emergency Response Team (Evidence Response Team), an Explorer Advisor and a member of the Department's SWAT (Special Weapons and Tactics) Team.

I then asked Officer Becerra as an Advisor with the SLPD Police Explorer Program what he did and how the program worked. Officer Becerra explained how the SLPD Police Explorer Program is a Department lead youth program for youths ranging from 14 to 19 years of age. The SLPD Explorer Program is geared towards training those youth who are possibly interested in pursuing a career in law enforcement. Officer Becerra has been an Explorer Advisor for the past year and half and was assisted by other Explorer Advisors which included former Explorer Advisor [REDACTED]

[REDACTED] as well as current Explorer Advisors [REDACTED] and [REDACTED]. The Explorer Advisors would meet with the Explorers every other week and provide law enforcement related training which included subjects covering law, search and seizure and defensive tactics. Most of the time there would be two or more Explorer Advisors at the bi-weekly Explorer meetings, but the meetings were mostly lead by him and [REDACTED]. [REDACTED] was the supervisor for the SLPD Police Explorer Program and would sometimes attend the Explorer meetings. However the program was led by the Advisors who reported to [REDACTED] as needed. Officer Becerra himself was a member of the SLPD Police Explorer Program as a teenager from 2008 thru 2009.

When I asked Officer Becerra if he knows all of the Explorer's currently in the SLPD Police Explorer Program he said he did. I asked him to provide their names and to the best of his recollection he gave the following names: [REDACTED] [REDACTED] [REDACTED] [REDACTED], two [REDACTED] and [REDACTED] who just left the program.

When asked about the recent 2017 summer Explorer Academy in San Diego Officer Becerra stated he also attended as one of the Explorer Advisors and thought the Explorers did well. He recalled that [REDACTED] and [REDACTED] both got injured while at the Explorer Academy, but they were treated for their injuries and completed the Academy.

The interview then turned towards Officer Becerra's relationship with [REDACTED] and her involvement in the SLPD Police Explorer Program. Officer Becerra described how [REDACTED] joined the SLPD Police Explorer Program about a year ago and she recently attended the 2017 Police Explorer Academy. Within the past month to month and half their relationship changed from being an Advisor and Explorer and friend relationship to "physical relationship." I asked Officer Becerra to tell me more about the "physical relationship" and he described how he and [REDACTED] began having sexual intercourse over the past month to month and half.



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In regards to Officer Becerra's sexual relationship with [REDACTED] both Sgt. Teng and I asked specific questions to describe the sexual acts they engaged in and how many times they engaged in these various sexual acts. Officer Becerra described meeting with [REDACTED] [REDACTED] total of six times for the purposes of engaging in sexual intercourse as well as other sexual acts. Two of the six sexual encounters were at [REDACTED] house when she was home alone and the other four sexual encounters were at the San Leandro Marina in the area of the north parking lot of El Torrito's Restaurant. The last time Officer Becerra and [REDACTED] [REDACTED] had sexual intercourse was after the most recent Explorer meeting on Thursday October 12th about 2100 hours. Officer Becerra described how they met at the same location at the San Leandro Marina and had sexual intercourse in [REDACTED] car.

Officer Becerra described each of the six sexual encounters including sexual intercourse which he described as putting his penis in [REDACTED] vagina. Also they engaged in mutual oral sex which Officer Becerra described as him orally copulating [REDACTED] and she orally copulating him. Officer Becerra could recall at least engaging in mutual oral sex both times at [REDACTED] house and at least two times while at the San Leandro Marina. Officer Becerra also described how he would also place his fingers in [REDACTED] vagina in order to masturbate her and one time he put his finger in her anus. Lastly Officer Becerra described engaging in anal sex one time with [REDACTED] while at her house. It was also at one of these two sexual encounters at her house that Officer Becerra used a condom which he gave to [REDACTED] in order to throw away. Officer Becerra recalled the first time they had sexual intercourse it was in his mom's car (a white [REDACTED]), which he was driving at the time. The other sexual intercourse at the San Leandro Marina occurred in [REDACTED] car (a champagne colored [REDACTED]). Officer Becerra stated he would either ejaculate in her vagina or in her mouth upon completion of each of the sexual encounters with [REDACTED]

Officer Becerra stated that none of these sexual encounters with [REDACTED] occurred while he was on duty as a police officer. He never wore any police uniform or used any police equipment during any of these sexual encounters. Later Sgt. Teng later brought up the use of [REDACTED] Explorer handcuff's being used during one of these sexual encounters and he admitted that they did use her Explorer handcuff's during one of the sexual encounters. When I asked Officer Becerra if he ever used his position as a police officer or his authority as a police officer to engage in any of these sexual acts with [REDACTED] he stated "God no."

This led me to another series of questions asking how he perceived his relationship with [REDACTED] I explained to Officer Becerra that even though [REDACTED] is a minor, he was an adult and it's illegal for them to be in a sexual relationship I asked how he viewed their relationship. Officer Becerra responded by saying [REDACTED] is a good person, they were friends and she had a good future ahead of her. Officer Becerra described [REDACTED] parents as being good people. He was aware of Mr. [REDACTED] being [REDACTED] with [REDACTED] and



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Mrs. [REDACTED] was just getting [REDACTED] both of which caused problems with [REDACTED]. Officer Becerra said there was a good chance [REDACTED] would be a "good friend" to him.

I rephrased my question and asked Officer Becerra if he viewed his relationship with [REDACTED] as being purely sexual or was there something more to their relationship. Officer Becerra responded by telling me that he viewed the relationship as being sexual, however there was a chance, although difficult, that there might be more of a relationship in the future.

During these questions Sgt. Teng asked Officer Becerra how he and [REDACTED] communicated with each other. Officer Becerra described they mostly corresponded via text messaging. They also would speak on the phone, correspond via social media Snap Chat or in person when she would go on ride alongs with him as an officer. Prior to meeting each other to engage in their sexual encounters, Officer Becerra and [REDACTED] would correspond via text messaging to arrange for the time and location of the sexual encounter.

I asked Officer Becerra at what point did the relationship change between him and [REDACTED]. Officer Becerra explained how as an Explorer Advisor he would often have text message conversations with all of the Explorers at all times of the day and night. He had the same relationship with [REDACTED] but what made their relationship move from Advisor and Explorer to being in a sexual was strongly initiated by [REDACTED].

Officer Becerra explained how about two months ago he and [REDACTED] had a text message conversation in which she told him she had a bad experience after having sex with two other guys. This opened up dialogue about what [REDACTED] liked sexually and Officer Becerra explaining his relationship problems with his girlfriend and what he liked sexually. From there they had more text message conversations about what sexual experiences they liked.

Sgt. Teng asked about the explicit nude images of Officer Becerra and [REDACTED] that were found on both his cell phone and [REDACTED] cell phone and inquired how this exchange of explicit nude images all began. Officer Becerra explained that during a Snap Chat conversation [REDACTED] told him she was physically attracted to him and he responded that he was also physically attracted to her and liked her as well. This conversation was continued via text message which led to a phone conversation and to more text message conversations. At some point Officer Becerra consented to a sexual text message conversation which included the exchange of nude pictures of him and [REDACTED]. Officer Becerra admitted to sending images of his penis, torso and face to [REDACTED] and she in return sent images of her breasts, buttocks and her vagina. Officer Becerra recalled that [REDACTED] was the first to send an explicit nude image of herself via text message then he began sending explicit nude images of himself via text message.



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Sgt. Teng asked Officer Becerra if he shared any other explicit images of [REDACTED] with anyone and he said he didn't. Sgt. Teng also asked if he shared any details of his relationship with anyone else or his feelings for her with anyone else and he said he didn't. I in turn asked Officer Becerra if he saved the explicit images of [REDACTED] in any format and he said he didn't. I asked Officer Becerra what he did with the sexually explicit images of [REDACTED] on his cell phone. Officer Becerra said he deleted all of the sexually explicit images of her.

Towards the end of the interview I asked Officer Becerra a series of questions about [REDACTED] involvement in the SLPD Police Explorer. Officer Becerra said she was doing well in the Explorer Program, but at one point she wasn't getting along with a couple of the other girls in the Explorer Program. That problem was mediated by [REDACTED] or one of the other Explorer leaders. Officer Becerra said [REDACTED] got along well with the other Explorer Advisors and there weren't any other problems after this problem.

I asked Officer Becerra if he knew if [REDACTED] had any [REDACTED] and if he was aware if she was [REDACTED]. Officer Becerra said he was aware that [REDACTED] was [REDACTED] for [REDACTED]. Officer Becerra knew when [REDACTED] wasn't taking [REDACTED] because [REDACTED] [REDACTED]

I was curious about how the ride along program for Explorers worked and asked Officer Becerra several questions about this. Officer Becerra said he was loose with the rules pertaining to this and would accept ride alongs with Explorers via text message instead of having them submit written requests. Before July of this year he would arrange ride alongs with Explorers by simply taking requests via text message. However in July they started making the ride along program with Explorers more structured and ensuring the Explorers completed ride along requests.

When asked if [REDACTED] had any problems with any other officer she went on a ride along with he said he was aware of one incident. Officer Becerra described how [REDACTED] contacted an off duty officer late at night via text message asking about a possible injured officer she saw in front of her house. [REDACTED] thought it was inappropriate to receive this late night text message since he was married. This caused [REDACTED] to stop taking Explorers on ride alongs. Officer Becerra was aware of no other problems with [REDACTED] and any officer she went on a ride along with.

Sgt. Teng and I also asked Officer Becerra several questions about policy and procedure regarding when and how problems within the Explorer program are resolved. Officer Becerra explained that if the problem could be resolved by himself or one of the other Advisors it was, but if the problem was significant enough he or another Advisor would notify [REDACTED].



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Since it was brought to my attention in the interview with [REDACTED] that Officer Becerra would often pick her up and drop her off in his personal car I asked him about this. Officer Becerra said he would often give [REDACTED] and other Explorers who needed a ride to and from their homes using his own personal car. Officer Becerra also described how he would invite Explorers to workout with him at the San Leandro Marina on certain days of the week. Officer Becerra said he did this to help some of the Explorers with their physical conditioning prior to going to the Explorer Academy in the summer.

One of the final series of questions we asked Officer Becerra involved if he ever stopped by [REDACTED] house on duty as an officer. Officer Becerra admitted he did and described stopping on duty with [REDACTED] and [REDACTED] for Mrs. [REDACTED]. [REDACTED] BBQ party. On another occasion Officer Becerra said he dropped off some paper work for a school project [REDACTED] had and her parents were home at the time. Another time Officer Becerra stopped by the house on a hot day to fill up his water bottle and [REDACTED] parents were also home. I asked Officer Becerra if any of these occasions were within the time frame he was having the sexual relationship with [REDACTED]. Officer Becerra said the time he and the other officers stopped by the [REDACTED] house for the BBQ party was within the time frame of their sexual relationship.

Upon completing our questions I asked Officer Becerra if there was anything he wanted to add or state prior to us ending the interview. Officer Becerra became emotional and his eyes welled with tears as he expressed how sorry he was for what he did, sorry for involving us in this investigation, sorry for how he made the Department look bad and sorry he hurt several people involved in this. Officer Becerra expressed how he wanted to take full ownership of this problem and not hide from that fact.

We thanked Officer Becerra for taking ownership of this problem. After soliciting input on how we might improve the SLPD Police Explorer Program we concluded the interview at 1155 hours.



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#### SEARCH WARRANT SERVICE ON OFFICER BECERRA'S LOCKER:

Later in the afternoon of Friday 102017, approximately 1450 hours, Sgt. Teng and I served the search warrant on Officer Becerra's work locker #35 which is located in the men's basement locker room at the San Leandro Police Department. The search warrant had been drafted by Sgt. Anthony on 101817 and was signed by the Honorable Judge Frank Roesch at 1943 hours. On 101417 Sgt. Khan removed the lock to Officer Becerra's locker and placed another Department combination lock on it. I was provided the combination to the lock by Professional Standards Division Lt. Molietteri prior to serving the search warrant with Sgt. Teng.

During a systematic search of the locker I located a black cloth zip up binder which had Officer Becerra's name tag on the front. I opened the binder and could see various notes pertaining to the Explorer program so I seized the binder as evidence. I also could see a small black digital memory card in one of the interior pockets of the binder. During a further search of the locker I also located an orange and white flash drive with the numbers '355' written on the side. These numbers happen to be Officer Becerra's badge number.

While Sgt. Teng was searching Officer Becerra's patrol bag he found a greeting card addressed to him from ██████████. I read the card which was a thank you card to Officer Becerra from Explorer ██████████ expressing her gratitude for the service Officer Becerra provided to her and the other Explorers.

I also seized the flash drive and thank you card as evidence.

No other items of possible evidence were recovered from Officer Becerra's locker.

After placing the rest of the property back in the locker we placed the administrative lock back on the locker and left. A copy of the search warrant and an itemized list of the recovered property was placed inside the locker.

I later examined the contents of the flash drive and discovered nothing of evidentiary value. It contained some SLPD documents and a copy of the SLPD Operations Directives and the Rules and Regulations.

I later examined the small memory disk and noticed that it contained some images from two separate 2016 criminal investigations, documents and reports from Officer Becerra's Evidence Response Team call outs and documents pertaining to SLPD Police Explorer Program including Officer Becerra's 122515 letter of interest to become an Advisor for the program. There were other SLPD related documents such as a copy of the old SLPD Operations Directive and the Rules and Regulations.



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The black binder with the small memory disk, the flash drive and the thank you card were all later submitted into SLPD Property as evidence.

#### SEARCH WARRANT SERVICE OF OFFICER BECERRA'S CELL PHONES AND THE CONSENT SEARCH OF THE VICTIM'S CELL PHONE:

On 101417 Sgt. Teng took [REDACTED] personal cell phone. She gave written consent for her cell phone to be searched. Later that day Sgt. Anthony drafted a search warrant for Officer Becerra's personal cell phone and Officer Becerra's work cell phone. On 101817 Lt. Benabou took Officer Becerra's cell phones and [REDACTED] cell phone to the Alameda County Crime Lab so the contents of the cell phones could be downloaded and persevered as evidence.

On 101917 Lt. Benabou recovered the three cell phones and gave them to me. He advised the downloaded contents and report from the crime lab would be ready for pick up on either 102317 or 102417. I noticed the three cell phones were sealed in a SLPD Evidence Envelope which I signed and took custody of. At 1645 hours I opened the evidence envelope and removed [REDACTED] cell phone from it. After completing her follow up interview at CALICO I returned the cell phone to her.

On 102017, approximately 1700 hours, I conducted a preliminary review of the contents of Officer Becerra's personal cell phone. I reviewed the images and videos stored on his cell phone and didn't see any of [REDACTED]. I noticed in the text message section of the cell phone there was one from [REDACTED]. I noticed the text message conversation only dated back till 101217. In this text message thread I saw an image sent from [REDACTED] which was of her from the waist up. She was wearing a black shirt and the message in essence said here is a picture of me to think about her instead of her "booty."

I also examined some of other contents of Officer Becerra's personal cell phone including a text message thread from female who appeared to be Officer Becerra's current girlfriend based on all of the images they had of each other in the cameras roll. The woman's name was listed as [REDACTED]

[REDACTED] The messages appeared to be conversational typical of relationships talking about day to day activities and expressing their love for each other. However I did notice that Officer Becerra would often send unsolicited images of his erect penis to his girlfriend which appeared to shock her. Often Officer Becerra's girlfriend would respond to the sent images expressing her frustration of viewing images of his erect penis since she claimed to be in public



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at the time and feared embarrassment that someone might see her viewing it. Occasionally within a couple month span of their text messages Officer Becerra's girlfriend would send partially nude images of herself which would result in Officer Becerra replying with images of his erect penis.

On 102417, approximately 1324 hours, I received a phone call from the Alameda County Crime Lab advising their crime lab report was complete along with the data from the cell phones. Approximately 1515 hours I drove to the Alameda County Crime Lab in Oakland and took custody of the cell phone data which had been preserved on a flash drive and sealed in an envelope. I also took possession of the crime lab report which detailed how the forensic evidence was collected.

I returned to SLPD CID with the evidence and began reviewing the contents of the cell phones data. Since I knew Officer Becerra had deleted a lot of the text messages from [REDACTED] [REDACTED] I reviewed the data contents from her cell phone. I couldn't find a message thread from Officer Becerra and had difficulty viewing the message data to determine who it came from. When I reviewed the images and videos from [REDACTED] cell phone I found sexually explicit nude images and videos of both [REDACTED] and Officer Becerra. These sexually explicit images and videos had date and time stamps which began on 090217 and ended on 101117.

I also took a little time to review the contents of Officer Becerra's personal cell phone and was able to locate a few of the deleted text messages from [REDACTED]. One text message worth noting was sent to Officer Becerra on 101217 at 2200 hours stating, "thank you for coming in my mouth." This appears to allude to their last sexual encounter which occurred at the San Leandro Marina on that date approximately 2100 hours.

Upon reviewing some of the content of the cell phone data it appeared the task of fully examining and analyzing the cell phone data would be too time consuming so I decided to let Sgt. Teng handle this task.

On 102517, approximately 0830 hours, I met with Sgt. Teng and briefed him on my findings of the recovered cell phone data and how I needed him to further examine and analysis the cell phone data specific to Officer Becerra and [REDACTED] communicating about their relationship and any discussions leading up to each of their sexual encounters. I then provided the flash drive containing the recovered cell phone data from the victim's cell phone and the suspect's cell phones (see Sgt. Teng's investigative supplemental report for further details).



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##### INVESTIGATIVE SUMMARY:

Based on the totality of evidence in this investigation and the statements obtained from the victim, the suspect and all other involved parties it appears the relationship between the victim, [REDACTED] and the suspect Officer Marco Becerra transitioned from Explorer and Advisor towards being friends slowly over the course of the one year. [REDACTED] was an Explorer in the SLPD Police Explorer Program. It appears this routine off duty and on duty contact they had via cell phone and social media eventually lead to them discussing their personal sexual history and how they were attracted to each other.

Based on the statements from the victim and the suspect as well as the correspondence from the cell phone communication it appears Officer Becerra and [REDACTED] began exchanging sexually explicit images and videos of each other in early September 2017. Shortly thereafter, beginning on 09/11/17 they arranged to meet at the San Leandro Marina where they engaged in sexual intercourse and Officer Becerra digitally penetrated [REDACTED] vagina. After that first sexual encounter they appeared to have met twice at her house, while she was home alone in order to engage in sexual intercourse and other sexual acts including oral copulation. Officer Becerra digitally penetrating [REDACTED] vagina/anus and one act of sodomy. According to the victim's statement they had another nine sexual encounters at the San Leandro Marina. During each of these sexual encounters at the San Leandro Marina Officer Becerra and [REDACTED] engaged in sexual intercourse, orally copulated each other and Officer Becerra digitally penetrated [REDACTED] vagina. During only one of these sexual encounters at [REDACTED] house did Officer Becerra wear a condom which she stated he eventually removed to complete the sexual intercourse. In addition upon the completion of the sexual encounters Officer Becerra either ejaculated in [REDACTED] vagina or in her mouth. Lastly the sexual encounters between Officer Becerra and [REDACTED] while at the San Leandro Police Marina occurred in either the car she was driving or the car he was driving at the time.

According to the victim and the suspect at no time did Officer Becerra commit any of these sexual crimes while he was on duty serving in the capacity of a police officer for the City of San Leandro. In addition they both stated at no time did Officer Becerra ever use his position or authority as a police officer for the City of San Leandro to coerce or force [REDACTED] to perform any sexual act with him.



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Based on the statement from the victim, [REDACTED] and the admission of Officer Becerra engaging in all of the described sexual acts it appears Officer Becerra is in violation of the following:

- 12 counts of 261.5(a) PC, unlawful sexual intercourse with a person under 18 years of age
- 12 counts of 289(b) PC, anal or genital penetration by foreign object
- 11 counts of 288a(b)(1) PC, oral copulation of a child between 16-18 years of age
- 1 count of 286(b)(1) PC, sodomy of a child between 16-18 years of age

#### RECOMMENDATION TO CHARGING DISTRICT ATTORNEY:

Based on aforementioned crimes your Affiant is seeking Officer Marco Becerra be charged for all these crimes. In addition your Affiant is requesting an immediate stay away order be issued to Officer Marco Becerra protecting [REDACTED] (victim), Mr. [REDACTED] (father of victim), Mrs. [REDACTED] (mother of victim), [REDACTED] brother of victim) and any members of the San Leandro Police Explorer Program.

No further details.



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#### INVESTIGATION:

On 101317, around **2135 hours**, I called the Criminal Investigation Division commander Lieutenant I. Benabou regarding a voicemail he left minutes earlier for me to contact him. Lieutenant Benabou requested that I respond to the police department the next day at 0730 hours regarding a criminal investigation that I was to assist with.

On 101417, at **0730 hours**, I arrived at the police department and met with Chief J. Tudor, Captains L. Torres and J. Knox, Lieutenants I. Benabou and J. Molettieri, and Sergeants L. Khan and R. Sanchez in the Chief's conference room. The group was briefed about the allegations of a sexual relationship between SU-Officer M. Becerra and a juvenile female Police Explorer that was received from a Child Protective Services (CPS) cross-report form. I was tasked with assisting Sergeant Sanchez in conducting the initial criminal investigation regarding the allegations. We were informed that Sergeant D. Leja, who headed the Special Victims Unit, would assume the role of primary investigator when he returned to work.

Around **0845 hours**, I responded to the victim's home, located at [REDACTED] with Sergeant Sanchez and Lieutenant Benabou. We contacted the victim and her mother and informed them of the reason for our visit.

Sergeant Sanchez and I spoke with the victim, and she acknowledged having a sexual relationship with Becerra. The victim agreed to accompany us to undergo a forensic interview at the Child Abuse Listening Interviewing and Coordination (CALICO) center in San Leandro. The victim also agreed to allow us to obtain details of her communications with Becerra from her cell phone, and provided us with the PIN code to unlock her phone. The victim showed me the text message thread with Becerra, and I noted that he was listed as "Officer Big Bird" in her text message contacts. (NOTE: a Voluntary Consent to Search form was later signed by the victim and attached to this case as one was not on hand during this initial encounter).

#### Forensic Interview:

Around **0900 hours**, Sergeant Sanchez and I transported the victim to the CALICO center, located at 524 Estudillo Avenue, and Lieutenant Benabou met us there. We then met with forensic interviewer Bertha Nevarez and Assistant District Attorney Joni Leventis. We briefed Nevarez and Leventis on the general allegations found on the CPS report. Nevarez then proceeded with the forensic interview with the victim.

During the interview, the victim stated that she has been a Police Explorer with the San Leandro Police Department since August of 2016. During that time, Becerra was one of the advisors for the Explorers program.



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The victim disclosed that starting about a month ago, her relationship with Becerra changed. The victim stated that she and Becerra communicated their feelings of liking each other over text message. The victim and Becerra also sent each other explicit pictures of their genitalia, (her) breasts, and (her) buttocks. They then agreed to meet up to have sexual intercourse.

The victim disclosed that they met up for sex about 10 times. In addition to vaginal sex, the pair also engaged in oral copulation, digital penetration, and anal sex. The victim stated they had sex twice at her home and the other times were somewhere by the San Leandro Marina in one of their cars.

The last occurrence of them meeting for sex was on Thursday, 10/21/17, around 2130 hours. (NOTE: There was an Explorers' meeting earlier that evening.) The victim stated that Becerra knew she was 17 years old.

During the interview, the victim stated she did write about their sexual relationship. However, it was unclear if this was a physical diary or an online blog or digital journal.

Refer to Sergeant Sanchez' supplemental for more details regarding the victim's disclosures during the forensic interview.

#### Pretext Phone Calls:

Once the forensic interview was completed, we spoke with the victim about conducting a pretext phone call to Becerra. The victim agreed to this and I set up an Olympus VN-8100PC digital recorder and an Olympus TP7 telephone pickup to record the phone call from her cell phone.

During the first call, the victim asked Becerra what he thought about "us" (their relationship). Becerra replied, "Everything is fun, I mean, it's um a lot of fun. But to be completely honest, it's never without uh, like every time we meet up it's never without repercussions. And the repercussions are me feeling guilty every time." Becerra added, "I thoroughly enjoy it, and I thoroughly enjoy, you know, everything we do, but it just makes me feel guilty." Becerra acknowledged they both had feelings for each other and stated that he felt guilty and did not want to lead the victim on.

The victim stated that she sometimes felt guilty when they had sex because Becerra has a girlfriend, to which Becerra replied, "Uh huh." The victim asked Becerra what he thought was going to happen when they (he and his girlfriend) bought a house. Becerra replied that at some point certain things have to stop. When the victim asked, "Like



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what", Becerra replied, "Everything we've been doing." Becerra then clarified that "being friends" doesn't have to stop "but certain things do, obviously."

Becerra then disconnected the phone call and called the victim back with a Facetime request. I instructed the victim not to accept the Facetime request and to call Becerra back. Becerra picked up the phone call and they continued their conversation.

During the second conversation the victim asked if Becerra was "falling" for her and he told her that he could not answer that because he did not want to lead her on. Becerra stated he would be more comfortable having this conversation face-to-face or over Facetime.

The victim asked Becerra, "So I'm not just sex, like we're friends, too?" Becerra replied, "We're obviously friends, we're good friends, we're really good friends." Becerra also stated that he did not want the victim to get hurt and that he "felt like a shitty human being." Becerra told the victim they could not ever have "a legitimate relationship". As Becerra explained his reasoning to the victim, he stated, "Think about it right, we're almost 10 years apart, like let's say we did have a legitimate relationship...(the victim interjects and says they were 8 years apart)... 8 years apart, right. And let's say when you turn 18, ok boom, we're boyfriend girlfriend now, and every function I have at work, I'm going to be taking you with me. You're going to be an 18 year old kid and I'm going to be 27 almost." When the victim asked, "So we stop having sex", Becerra told her he wanted to talk about this in person and ended the conversation.

I noted from the pretext phone calls that Becerra acknowledged the victim was not yet 18 years old. In addition, Becerra never made any denial statements when the victim mentioned them having sex. Instead, he appeared to want to avoid discussing that subject over the phone and wanted to talk about it in person or over Facetime with the victim.

The audio files from the pretext phone calls were later transferred to a disc and submitted as evidence.

#### SART Examination:

Around **1212 hours**, I transported the victim to Highland Hospital and arrived around **1225 hours**. We were joined by Bay Area Women Against Rape (BAWAR) advocate [REDACTED] and the victim's own [REDACTED] at the victim's request. I filled out the paperwork requesting the examination and it was conducted by Physician's Assistant [REDACTED].



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While waiting for the exam, I spoke with the victim about the written entry regarding her relationship with Becerra that she mentioned during the earlier forensic interview. The victim stated it was an online diary of hers that was stored on Google Drive accessed through software from her high school. The victim said there was only one entry about the relationship and she was willing to show it to me.

The entry shown to me was a paragraph detailing the victim's feelings of love and infatuation towards an unnamed male subject. There were no details of any physical acts or other identifying information contained. The time and date listed below the entry was "09:04 Wednesday September 27" (Note: It was unclear if this time and date was for the entry shown to me or for the one following it.) With the victim's permission, I took a picture of the entry using Sergeant Sanchez' cell phone. This image was later transferred onto a disc and submitted into SLPD property as evidence.

After the SART examination was completed, [REDACTED] processed and packaged the evidence kit and turned it over to my custody. Around **1650 hours**, I transported the victim back to her residence and arrived there at **1702 hours**. I then released the victim back to her mother's custody. It was at this time that the victim signed a Consent to Search Form (which was left at the residence by Lieutenant Benabou) in her mother's presence for us to search the contents of her cell phone.

I returned to the police station around **1730 hours** and turned over the victim's cell phone to Sergeant B. Anthony around **1733 hours**. Sergeant Anthony had been tasked with penning any necessary search warrants and downloading the contents of any pertinent electronic devices, including the victim's cell phone. I also provided Sergeant Anthony with the PIN code to unlock the victim's phone.

While at the station, I downloaded the 2 audio files of the pretext phone calls from the digital recorder used and made 2 copies of them on separate discs. I submitted 1 disc into SLPD property as evidence and placed another copy of the phone calls on the desk in the locked office of Sergeant Leja. I submitted the SART exam evidence kit and the SART exam document packet into SLPD property as evidence. I also placed a copy of the SART exam document packet on Sergeant Leja's desk. The digital recorder used in the pretext phone call was later returned to Sergeant Khan who was tasked, at the time, with conducting the police department's administrative investigation.

#### Follow-up Interviews:

On **101817**, I was paired with Detective Sergeant T. Young and assigned to conduct several follow-up interviews with police explorers and police department employees who had direct involvement and/or frequent contact with the Police Explorers program. The following is a list of the persons we interviewed along with a summary of their



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statements. (NOTE: All of the interviews were recorded using my PVRS body camera and all persons interviewed were aware of this.)

**Police Service Technician [REDACTED] (101817/1102 hours/SLPD):**

[REDACTED], who is the community outreach coordinator for the police department, worked closely with the police explorers since explorer members consistently assist with outreach events.

[REDACTED] noticed on several occasions during certain outreach events that the victim would focus all of her attention on Becerra when he showed up and would even leave her post to go interact with him. [REDACTED] stated it seemed "odd" that the victim would be so excited to see her advisor walk up. [REDACTED] described the victim as being "giddy" and "giggly", and that she appeared to have "a crush" on Becerra. [REDACTED] said it appeared Becerra enjoyed the attention he received from the victim and reciprocated the victim's friendliness. This behavior stood out because it was not exhibited from any of the other explorers present. [REDACTED] said she first noticed this in May of this year during the Cherry Festival, and she has seen similar behavior 5-6 times in total since.

After the Cherry Festival, [REDACTED] spoke with [REDACTED], who was one of the other explorer advisors. [REDACTED] relayed to him that she felt it was not professional the way the victim and Becerra interacted with each other. [REDACTED] responded that the advisors were aware of the victim and "how she was" and that it was not a problem.

[REDACTED] added that since she and the victim were friends on Facebook, she saw that Becerra had posted comments on some of the pictures posted by the victim. Even though the comments were not inappropriate in and of themselves, [REDACTED] thought it was strange for a police officer advisor to be commenting on a 17 year old girl's Facebook page.

[REDACTED] also had a conversation with [REDACTED] about her observations and later to [REDACTED]. [REDACTED] did not see any of the interactions between the victim and Becerra. Both [REDACTED] and [REDACTED] noted that the victim was very forward in what she shared with people whom she had just met, including details [REDACTED]

[REDACTED] had a second conversation with [REDACTED] with [REDACTED] and [REDACTED] present, regarding the victim's behavior.

**Police Service Aide [REDACTED] (101817/1136 hours/SLPD):**



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[REDACTED] works as the training coordinator for the police department, but also assists [REDACTED] in her job as community outreach coordinator. [REDACTED] worked alongside the police explorers since they assist in most of the outreach events put on by the department.

[REDACTED] said she has never observed any inappropriate behavior from the explorers or their advisors. [REDACTED] did notice, while the victim interned for her and [REDACTED] that the victim was very open with her [REDACTED] and family history. [REDACTED] wondered if the explorer advisors knew the victim's history.

[REDACTED] also recalled having a conversation with [REDACTED] with [REDACTED] about the victim, and it appeared [REDACTED] was already familiar with the victim's history and behavior, and stated the victim just needed some more attention.

[REDACTED] mentioned she had heard from some of the female explorers [REDACTED] (and another female) that the victim caused "drama" within the program. [REDACTED] did not get any other information regarding this and felt it was best handled by the explorer advisors.

**Police Sergeant [REDACTED] (101817/1149 hours/SLPD):**

[REDACTED] is currently the supervisor that oversees the Police Explorers program and has been since 2014. [REDACTED] stated that [REDACTED] and Becerra were brought into the program as advisors about 2 years ago. [REDACTED] was already an advisor at the time. [REDACTED] (PST at the time) was also brought on as an advisor but left shortly thereafter to attend the Police Academy.

[REDACTED] stated that his duties overseeing the program put him in contact with the advisors more often but he only saw the explorers 3-4 times a year with one of those occasions being the Explorers' Academy. The explorers attended the Explorers' Academy this year and left on 072817, accompanied by [REDACTED] and Becerra, and [REDACTED] (as a female presence and mentor). [REDACTED] joined them on 080317.

[REDACTED] said that on 080417, during the late evening hours, the explorers were permitted to meet with their advisors to provide updates and address any ailments, injuries, or concerns. [REDACTED] noticed the victim, whom he had not met until this point, was "very chatty" and "happy bubbly", which was atypical of most explorers going through the academy in [REDACTED] experience. The victim seemed very animated and was very close in physical proximity to those she interacted with. [REDACTED] also noticed the victim focused her attention towards Becerra.



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[REDACTED] addressed the victim's behavior with the advisors after the explorers left, and they informed her about the victim's [REDACTED]  
[REDACTED] Becerra informed [REDACTED]

[REDACTED] mentioned they noticed the [REDACTED] had been changing over the course of the last few days and had become [REDACTED] He suspected the victim had not actually been [REDACTED] [REDACTED] instructed Becerra to confirm the victim [REDACTED]

On 080517, [REDACTED] arrived to attend the Explorers' Academy graduation the next day. [REDACTED] tried [REDACTED] about the victim [REDACTED]

[REDACTED] did not observe anything that would be deemed inappropriate and it appeared to him the victim [REDACTED] was more of [REDACTED]

[REDACTED] stated that in his years of involvement in the Police Explorers program, whether as an advisor, supervisor, or uninvolved party, he has never observed anything that he would consider as inappropriate or unprofessional. [REDACTED] was never made aware of any other unusual interactions between Becerra and the victim.

**Police Explorer [REDACTED] (101817/1443**  
hours/[REDACTED]:

[REDACTED] has been a Police Explorer with the San Leandro Police Department for about a year. [REDACTED] said she has attended explorer meetings but has not had a chance to go on a ride-along.

[REDACTED] stated the only "off-duty" contact she has had with any of the advisors (she only named [REDACTED] and Becerra) was when they traveled to San Diego for the Explorers' Academy.

[REDACTED] said that she has never seen or experienced within the Explorers' program anything that she would consider inappropriate, unprofessional, or unusual. [REDACTED] mentioned she noticed the victim gravitated more towards Becerra in her interactions, and [REDACTED] believed it was because the victim went on more ride-alongs with Becerra. [REDACTED] did not observe any unusual interactions between the victim and Becerra.

**Former Police Explorer [REDACTED] (101817/1517 hours/Residence,**  
[REDACTED]:



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[REDACTED] was a Police Explorer with the San Leandro Police Department for 4 1/2 years until he reached the age limit of 21 a few days ago. [REDACTED] was a Sergeant within the program for about 2 1/2 years until his promotion to Explorer Lieutenant in late March/early April of this year. As an explorer, [REDACTED] attended their bi-weekly meetings regularly, and he also assisted with many departmental events and went on ride-alongs.

[REDACTED] said that he has personally never contacted any of the advisors for any matters outside of the Explorers' program. [REDACTED] did not attend this year's Explorers' Academy.

When asked if he ever observed anything that was unprofessional or inappropriate within the Explorers program, [REDACTED] said that he and the other ranked explorers ([REDACTED] and [REDACTED] and [REDACTED]) had a discussion in July of 2017 about possible favoritism shown towards the victim. Apparently Explorer [REDACTED] brought this to [REDACTED] attention and alleged the advisors were showing favoritism towards the victim. It appeared most of the other female explorers felt this way towards the victim. [REDACTED] said that he believed the victim's [REDACTED] were the reasons for the attention she was shown, but this information was not shared with [REDACTED].

As an example of favoritism, [REDACTED] spoke about an incident when the victim apparently yelled at [REDACTED]. This was told to [REDACTED] by [REDACTED] and the incident was witnessed by [REDACTED]. [REDACTED] said there was a written report generated by [REDACTED] to document the incident which was forwarded to the advisors. According to [REDACTED] the advisors pulled the victim aside and addressed it with her. [REDACTED] said that in his opinion, if it was any other explorer that did this, there would have been swifter and harsher action from the advisors. [REDACTED] felt the victim was not being held accountable by the advisors due to [REDACTED].

[REDACTED] mentioned there was an issue where the victim would contact (text message) officers directly to go on ride-alongs and bypass the Explorers' chain-of-command. [REDACTED] said he addressed this with the victim, but later found out that the advisors had apparently given the victim permission to do this. [REDACTED] later said that other explorers were also doing this regularly which prompted the Explorer program to place restrictions on and regulate ride-alongs.

[REDACTED] also mentioned an incident in July when Becerra gave the victim [REDACTED] personal cell phone number. The victim then sent [REDACTED] a text message which caused [REDACTED] to cut off communication with the victim. [REDACTED] then spoke about [REDACTED] approaching [REDACTED] and stating that he did not want to take any explorers on a ride-along for a month without any further



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explanation. [REDACTED] believed [REDACTED] reaction was because of the text message sent to him by the victim. [REDACTED] said this was made known to [REDACTED] who assured him that "it was nothing" and that it was resolved.

When asked if he ever observed anything that was unprofessional or inappropriate from Becerra, [REDACTED] mentioned an incident where Becerra failed to inform a former explorer, [REDACTED] that he was removed from the explorer post. [REDACTED] apparently showed up to a meeting after he was supposedly removed, and the explorers called Becerra to ask if [REDACTED] had been notified. When asked, Becerra's response was, "Oh no, I forgot, just fucking deal with it."

[REDACTED] stated that the victim seemed very close to Becerra and that she was always hanging around him at events. [REDACTED] believed the victim "had a little crush" on Becerra. [REDACTED] noted this appeared to change after the Explorers' Academy, and that Becerra appeared to distance himself from the victim. After August, [REDACTED] said the victim seemed to gravitate more towards [REDACTED]

There was nothing else [REDACTED] witnessed that was inappropriate or unprofessional within the Explorers' program other than what was already mentioned.

A copy of the incident report documenting the incident between the victim and [REDACTED], as well as a memo documenting the victim bypassing ride-along protocol, were forwarded to Sergeant Young by [REDACTED]. Sergeant Young forwarded the documents to me and they were later downloaded to a disc and submitted into SLPD property as evidence.

Police Explorer [REDACTED] (101817/1655 hours/ [REDACTED])

[REDACTED] has been a Police Explorer with the San Leandro Police Department for 3 years and is currently a Lieutenant within the program. Some of his duties include dealing with personnel and staffing for events, paperwork, and scheduling for ride-alongs. [REDACTED] has been consistent in his attendance at explorer meetings, which are held every other Thursday, as well as staffing events for the police department, which he estimates at 4-5 events per month. [REDACTED] also attended this year's Explorers' Academy from July 28<sup>th</sup> to August 5<sup>th</sup>.

[REDACTED] mentioned there being an issue that came up in June or July about ride-alongs. [REDACTED] stated that it was discovered the victim had been contacting Officers [REDACTED] Becerra, and [REDACTED] directly about going on ride-alongs.



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[REDACTED] also stated there was an incident where the victim contacted [REDACTED] sometime between 2300-0100 hours on Facebook Messenger. According to [REDACTED] he learned from former [REDACTED] that [REDACTED] complained to [REDACTED] and [REDACTED] about the victim contacting him directly to talk about a police video she watched. [REDACTED] did not have any information regarding the content of the video or messages sent. Apparently the victim was directed to write a memo about this and was admonished not to repeat it.

[REDACTED] mentioned the victim sometimes gets "too comfortable" with other explorers and other members of the police department. [REDACTED] also stated that Becerra had given the victim permission to contact him when she needed "a shoulder to cry on." [REDACTED] explained that the victim was given permission to contact Becerra for advice and mentorship on personal or school related matters.

Other than what was mentioned already, [REDACTED] has not observed any behavior that he would consider inappropriate or unprofessional either on the trip to the Explorer's Academy or in the Explorers' program itself.

#### Police Service Technician [REDACTED] (101917/0915 hours/SLPD):

[REDACTED] was a previous explorer with the San Leandro Police Department before leaving the program after reaching the age-limit of 21. In her current assignment, [REDACTED] has come into contact with the explorers during various departmental outreach events.

When asked if she has ever observed anything inappropriate or unprofessional relating to the Police Explorers program, [REDACTED] commented that the explorers themselves appeared to be "very flirtatious" in their interactions with one another and that the program lacked maturity in general.

[REDACTED] attended this year's Explorers' Academy as a female presence and advisor for the attending explorers. [REDACTED] said that she had to address several issues with the female explorers, particularly the victim, during their trip to the Explorers' Academy.

[REDACTED] mentioned that the victim came across to her as being "promiscuous" and "flirtatious". The victim did not have a filter and did not seem to know what was appropriate. As an example, [REDACTED] observed the victim talking about female body parts and bodily functions in front of the male advisors, often directed towards Becerra. [REDACTED] said that this behavior was not stopped by Becerra. Even though [REDACTED] told the victim to speak to her about these matters instead, the victim appeared to disregard it.



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[REDACTED] also talked about an incident at the end of the Explorers' Academy where the explorers were instructed to change their clothes with the girls using the upstairs apartment and the boys using the downstairs one. [REDACTED] said that when she came back to the apartments, she found the victim in the living room area of the downstairs apartment, where the boys were supposed to be, in only her underwear and with the front door open. There was only 1 female explorer with the victim at this time.

[REDACTED] commented that she felt the advisors did not set appropriate boundaries for the explorers' behaviors; they did not stop the flirty behavior or control the back-talk.

Other than the lack of verbal filter of the victim towards Becerra, she did not observe any other inappropriate behavior between them.

**Police Explorer [REDACTED] (101917/1050 hours)**

[REDACTED] has been with the explorers program of the San Leandro Police Department since February of this year. As an explorer, [REDACTED] has volunteered to staff numerous departmental events and has gone on many ride-alongs, in addition to attending the bi-weekly meetings.

While speaking about ride-alongs, [REDACTED] mentioned that [REDACTED] said that he needed a break from taking explorers. [REDACTED] recalled there being an email that was sent by [REDACTED] to all of the explorers in April about cancelling all ride-alongs. [REDACTED] said that an officer felt disrespected by an explorer, but there were no other details given. [REDACTED] said that [REDACTED] and [REDACTED] were the "favorites" among the explorers. [REDACTED] said Becerra was her personal favorite because he joked a lot and taught her many things.

When asked about any off-duty contact with the advisors, [REDACTED] mentioned that Becerra would take explorers running at the San Leandro Marina when they were preparing for the Explorers' Academy. The explorers that went were [REDACTED], [REDACTED], [REDACTED], and herself. [REDACTED] also mentioned that she has sent Becerra a few text messages regarding the Marina runs or to ask questions about police procedures. She also sent [REDACTED] a "Happy Father's Day" text message. According to [REDACTED] most explorers had some level of off-duty communication with the advisors.

[REDACTED] spoke about an incident where the victim sent [REDACTED] a late night text message that was seen by his "girlfriend" and caused her to ask who the message was from. [REDACTED] said she heard this from [REDACTED] and she did not know the content of the message or the context in which it was sent.



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When asked if she has ever observed anything that she felt was inappropriate or unprofessional, [REDACTED] stated that another explorer, [REDACTED] had sent her a message a couple days before they left for the Explorers' Academy. [REDACTED] said that [REDACTED] had sent a screenshot of a picture she posted on Instagram that Beeerra had "liked" and [REDACTED] commented in her message, "Daddy liked the picture". [REDACTED] explained that "daddy" referred to Beeerra, and it was used as a term for someone the person liked. [REDACTED] said the picture of [REDACTED] was just a selfie with a Snapchat filter and was not inappropriate. [REDACTED] stated that "everyone" knew [REDACTED] had a "crush" on Beeerra. [REDACTED] felt it was weird for [REDACTED] to call Beeerra "daddy".

When asked about the interaction between [REDACTED] and Beeerra, [REDACTED] described [REDACTED] as being "clingy" but there was nothing that was inappropriate. [REDACTED] said that Beeerra did not treat [REDACTED] any differently than any of the other explorers and did not act inappropriately towards her.

[REDACTED] spoke about an incident after one of the Explorers' meeting or an event where the victim began changing her clothes in the Explorers' office in the presence of a male explorer, [REDACTED]. [REDACTED] said [REDACTED] brought this up during a discussion between the explorers of whether this was appropriate or not. [REDACTED] mentioned the victim had taken off her shirt while facing a corner and only had her bra on. This did not happen in the presence of any advisors.

Other than what was mentioned, [REDACTED] has not observed anything that was inappropriate or unprofessional in the Explorers program.

[REDACTED] later forwarded me the email she alluded to during her interview. The email was sent by Explorer Sergeant [REDACTED] and talked about the manners of explorers while riding with [REDACTED]. The email admonished the explorers to refer to officers as "sir" or "ma'am" while in public and to not call them by their first names or nicknames.

I copied and pasted the entire email onto a Microsoft Word document and transferred it onto a disc that I later submitted into SLPD property as evidence.

**Police Service Technician [REDACTED] (102317/0720 hours/SLPD):**

[REDACTED] is one of the current advisors for the Police Explorers program and has been for about 3 years. [REDACTED] is mainly responsible for the administrative duties related to the program, such as ride-along requests and background packets for recruits.



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[REDACTED] mentioned there was an issue with ride-alongs where certain explorers bypassed the regular process for requesting them and would contact [REDACTED] and Becerra directly. The explorers that did this included the victim. [REDACTED] recalled the victim went on at least a dozen ride-alongs and, in his estimation, over 90% of them were with Becerra.

[REDACTED] said he noticed the issue of request forms not being submitted when he saw explorers going on ride-alongs without him receiving the paperwork. [REDACTED] mentioned this issue to [REDACTED] and Becerra and they told him it was ok because the explorers had contacted them directly.

[REDACTED] stated that he has never witnessed anything else that was unusual or inappropriate within the Explorers Program. (NOTE: This interview was conducted by me and Detective Sergeant Anthony.)

#### **Police Explorer [REDACTED]**

On 102317, around 1057 hours, I spoke with [REDACTED] mother [REDACTED] over the phone to set up an interview time with [REDACTED]. Her mother told me that [REDACTED] was currently embarked on an outdoor educational program in the Joshua Tree National Park region and did not have access to any telecommunications. [REDACTED] mother told me that she would be returning to the Bay Area at the end of the month where she may be given access to her cell phone. I provided her with my contact information and the phone number for Sergeant Leja to arrange for a phone interview with [REDACTED] at the soonest possible date.

On 102417, around 1600 hours, I received a phone call from [REDACTED] mother. She informed me that she had spoken to one of [REDACTED] program counselors and it appeared [REDACTED] would not be available for any phone calls until 110617. She said that it would not be guaranteed that [REDACTED] would have phone access at that time either. [REDACTED] would be returning home from the program on 111417. I forwarded this information to Sergeant Leja.

#### **Follow-up with the Victim:**

On 101917, around 1731 hours, I sat in with Sergeant Leja as he conducted a follow-up interview with the victim at the CALICO center in San Leandro. During the interview, we clarified certain details with the victim. The victim stated that she and Becerra met up 12 times (as opposed to 10 that she mentioned during her forensic interview) for sex. The victim also gave more details regarding the vehicles involved and locations.



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After the interview, the victim agreed to show Sergeant Leja and me the exact location at the San Leandro Marina where she and Becerra met up to have sex. We were accompanied by ADA Leventis. The victim directed us to the northern portion of the parking lot of El Torito restaurant, located at 5 Monarch Bay Drive. The victim stated that every time they met for sex, other than the 2 occasions at her home, it was in this parking lot area of El Torito restaurant.

Refer to Sergeant Leja's investigative supplement for more details regarding the victim's follow-up interview.

#### Suspect Interview:

On 102017, Sergeant Leja and I responded to the office of the Rains Lucia Stern St. Phalle & Silver law firm, located at 2300 Contra Costa Boulevard in Pleasant Hill, for a pre-arranged interview with Becerra at 1030 hours. We met with Becerra and his attorney Michael Rains, who sat in for the interview in the conference room of the law firm. Sergeant Leja advised Becerra of his rights per Miranda, and Becerra understood his rights and signed a statement form before proceeding to speak with us.

During the interview, Becerra spoke about the victim becoming an explorer with the San Leandro Police Department about a year ago. Becerra also stated that his relationship with the victim "changed" about a month and a half ago. Becerra stated that his relationship with the victim became more personal as he counseled her about personal issues and also shared with her some details about his own personal life. They also began discussing what sexual acts they enjoyed. This culminated in a conversation over Snapchat where the victim told Becerra she liked him and had feelings for him. Becerra told the victim the same.

The victim sent text messages containing pictures of her breasts, buttocks, and vagina to Becerra, and he also sent her pictures of his penis. Becerra stated the pictures of the victim were deleted off of his phone and that he never shared them with anyone.

Becerra stated he and the victim communicated over text messages about meeting up to have sex and he suggested them meeting at the San Leandro Marina. Becerra specifically recalled the location was in the north parking lot of El Torito's. Becerra admitted to meeting up with the victim to have sex a total of 6 times; twice at her home and 4 times at the marina. Becerra and the victim engaged in vaginal sex, oral copulation (him on her and her on him), digital penetration (him on her), and anal sex. The last occurrence was on 101217, around 2100 hours, after an Explorers' meeting. Becerra stated that before each meet-up, he and the victim would communicate over text message to arrange them.



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Becerra expressed his remorse and took full responsibility for his actions, stating that he was the adult and should have known better. Becerra said that he never disclosed his relationship with the victim to anyone else.

Refer to Sergeant Leja's investigative supplement for full details regarding Becerra's interview.

#### **Locker Search and Cell Phone Data:**

On 102017, around 1450 hours, I assisted Sergeant Leja as he executed a search warrant on Becerra's departmental locker (#35). Sergeant Leja was the primary searcher and collected several pieces of evidence. I assisted by looking through Becerra's patrol bag, and located a "thank you" card from Explorer [REDACTED] near the bottom of the main compartment. I handed this to Sergeant Leja. Refer to his supplement for details regarding the search.

On 102517, around 0830 hours, Sergeant Leja asked me to go through the data extracted from the victim's cell phone and Becerra's personal and work cell phones. Sergeant Leja was specifically looking for the times and dates of when any explicit images were exchanged between Becerra and the victim as well as any communications arranging their meet-ups to have sex. At 0845 hours, Sergeant Leja handed me a silver thumb drive labeled with the SLPD case number as well as an assigned number from the ACSO Crime Lab (L17-2461-1). The thumb drive contained a folder with the pictures taken of the processed cell phones, and 3 separate folders labeled V1 (victim's phone), V2 (Becerra's personal phone), and V3 (Becerra's work phone).

#### **Victim's Personal Phone:**

As previously mentioned, Becerra was listed as "Officer Big Bird" in the victim's cell phone contact list. "Officer Big Bird's" identity as Becerra was corroborated by the cell phone number listed under the contact [REDACTED] as well as the contact photo being that of Becerra and the victim.

In the data extracted from the victim's phone, I was only able to find one message thread between her and Becerra under the "Chats" category (none found under MMS or SMS Messages). There were 2 other incoming messages from Becerra dated 012017 and 072517, but there was no content available on those messages.

The message thread between the victim and Becerra included 284 messages that only went as far back as 101117. The time stamp of the message thread did not appear to be in Pacific Daylight Time (PDT or UTC -7) because the discussions of an Explorers' meeting were timestamped in the early hours of 101317; however, the actual meeting



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took place in the evening of 101217. I suspected the messages were timestamped using Coordinated Universal Time (UTC) instead.

On 101117/1724 hours, the victim sent Becerra a short video clip of her naked in the shower, showing the front of her chest and crotch. The victim invited Becerra to come over but he declined. In their conversations, I noticed the victim referring to Becerra as "big bird" and he referred to her as "baby bird". The victim later suggests "after the (Explorers') meeting" and Becerra agrees. The victim also sent Becerra pictures of her with her hand down the front of her pants, her buttocks, bare breasts, crotch (with underwear removed), and a video of her masturbating. Later, the pair discussed the logistics and location (the victim asked, "Marina?") of their meet-up. Becerra told the victim to meet him "at the same place". The pair say goodnight to each other on 101317/0456 hours. The victim followed with "thanks for cumming in my mouth" and Becerra replied, ";) thanks for not spilling hah. Night." (NOTE: These last 2 messages were also found later on Becerra's personal phone with the date and time as 101217/2200 hours.)

Under the "Images" section, starting on 090217, there were numerous pictures of a female's bare breasts, buttocks, crotch, and genitalia. There were also numerous pictures of a male's penis. Under the "Movies" section, starting on 090717, there were several video clips of a male masturbating as well as those of a female masturbating. I was unable to determine if these were taken or received by the victim's phone and to whom the body parts in the images and videos belonged.

While looking through the "Notes" section, I found numerous entries that appeared to be from a digital journal. There were several entries, beginning on 090817, that were sexual in nature and described sexual encounters with an unnamed subject. In the entry dated 091817, the writer (presumably the victim) mentioned Becerra's girlfriend [REDACTED] by name. The entries made on 092017, 092917, 100117, and 101217, appear to describe specific sexual encounters.

The entry on 092017 described a sexual encounter with an unnamed subject at an unknown location. Later, while I was examining the chat history from Becerra's personal phone, I noticed 2 short messages between him and the victim (092017/1241 hours) where he simply stated, "Here", and she replied, "Doolittle." Based on the journal entry, and the 2 text messages, I believed this was one of their meet-ups at the marina to have sex. (NOTE: Doolittle Drive is a main thoroughfare that runs north/south on the west side of San Leandro that must be crossed in order for anyone east of the street to reach the marina.)

The entry on 092917 mentioned the encounter occurring at the victim's home on a Monday, which I originally believed was referring to 092517. However, when I later



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examined the data from Becerra's personal phone, I noticed their conversation on 092917 (Friday) discussed having to wait and how "Monday (presumably 100217) will be that much better". This led me to believe the entries written on 092917 and 100117 were likely fantasies of the victim that had not actually occurred yet, instead of what I originally believed to be documentation of instances that already transpired. From the chat history in Becerra's personal phone, the victim actually sent him the entry she wrote on 092917.

The entry made on 101217 appeared to corroborate the victim and Becerra meeting for sex after their Explorers' meeting on the same date, which was also their last rendezvous.

#### Becerra's Personal Phone:

While sorting through the extracted data from Becerra's personal phone, I did not locate anything relevant to the victim under SMS Messages. The only thing noteworthy found under MMS Messages, was one sent by [REDACTED] on 051217 that contained a screenshot of what appeared to be messages sent by the victim to [REDACTED]. The message from [REDACTED] detailed [REDACTED] displeasure with receiving a late night text from the victim. The message exchange between the victim and [REDACTED] appeared to be about police activity that occurred outside of her residence. (NOTE: This corroborated and explained the incident brought up by some of those we interviewed.)

While going through the messages under "Chats", I noticed that for some reason very few of the messages were in "thread" form. Instead, it appeared the majority of the messages were listed individually. It was easy to identify the messages from the victim, who was listed by her first and last names, but Becerra's replies did not indicate to whom the messages were being sent to. As such, I had to piece together Becerra's replies in their conversations by the context of the messages he was sending. As a result, some of the conversations appeared to be disjointed with many messages either missing, or perhaps taking place over a different platform. The timestamps for these messages appeared to be correct as nearly all of them indicated they were UTC -7, which is also PDT.

Of the conversations I was able to find, the following are those that appeared to allude to, or some more clearly indicate, Becerra and the victim meeting up for sex (Note messages from the victim will be indicated with a "V" and those from Becerra with an "S" for "suspect"):

- 091117/0615 hours      V: I really enjoy talking to you too, probably more than the sex. I really like you. I hope you had fun. Sleep in! :)



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S: The sad part is we haven't even had sex yet hah. This blows!!

0859 hours V: It's dark and I'm tired and angry but happy to see you.

V: You're driving the van so naturally I go in the van.

1905 hours S: I was more than comfortable. Just didn't want to do it in the car the first time ha.

S: It wet. Like you were earlier hah.

- 092017/1241 hours S: Here.

V: Doolittle.

- 092617/1011 hours V: We have a bed we have to fuck.

1302 hours V: Door's open.

1316 hours V: I'm waiting.

2001 hours S: Today was amazing. Absolutely great. It's so much better with a bed hah.

2304 hours V: I fell asleep!

V: Soo much better with a bed.

- 100217/0859 hours S: Can I head over right when I get out? At 1230.

V: Yes I'll be right behind u. You'll prob beat me by a few minutes. I should be there at 1.

- 100917/0844 hours V: That's hot.

S: I'll eat you out first

S: If we can do it in your wagon. Let's try.

(Victim describes some of the sex acts she wants in several messages.)



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S: Walking out of class now. Gotta stop by the store still. So be at marina 110.

- 101217/2102 hours V: Everything ok?

S: Just a min.

2200 hours V: Thanks for cumming in my mouth.

S: ;) Thanks for not spilling hah. Night.

As shown by the conversations listed above, I was able to find 6 possible references of the victim and Becerra meeting for sex. At this point, I realized that while the victim had indicated the pair had sex either 10 or 12 times, Becerra stated in his interview that they had sex a total of 6 times (2 times at the victim's home and 4 times at the marina). The conversations I listed appeared to corroborate Becerra's account with the meet-ups on 092617 and 100217 seemingly occurring at the victim's residence and the remaining 4 either referring/alluding to the marina or being unclear on location.

There were numerous messages in between the meet-ups where Becerra and the victim discussed the nature of their relationship, their age difference, and various sex acts, or engaged in flirtatious conversation.

One noteworthy message, which was sent on 082617 at 2009 hours by Becerra to the victim, stated, "But we can't talk about any inappropriate stuff till you turn 18 hah." This was one indicator that Becerra knew the victim was underage before they started having sex.

I also located several conversations between Becerra and an unidentified subject (listed as "Unknown") that appeared to imply sexual meet-ups between them. I determined this was most likely not the victim since the victim's messages were identified by her name. Also, the terms of endearment used in these conversations "boo" (for the unidentified subject) and "stud" (for Becerra) were not consistent with what Becerra and the victim used for each other ("big bird" and "baby bird").

I noticed that none of the messages between Becerra and the victim contained any images or video even though some of the other messages suggested their existence. I noticed there were messages between them that appeared to be blank or contained a combination of symbols I could not decipher. I believed these messages to possibly be the ones that contained either an image or video that had since been deleted.



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I did not locate any pictures or videos on Becerra's personal phone data in the "Images" or "Videos" sections that matched the explicit ones found in the victim's phone. (NOTE: Becerra stated in his interview that he deleted the explicit photos shared between him and the victim.)

#### **Becerra's Work Phone:**

I did not find anything relevant to this investigation in Becerra's work phone.

After completing my examination of the extracted cell phone data, I returned the silver thumb drive containing the data to Sergeant Leja's desk in his locked office around **1953 hours**.

On **102617**, around **0800** hours, I informed Sergeant Leja of the findings from my examination of the cell phone data.

This concluded my involvement in this investigation. Refer to Sergeant Leja's supplement regarding the full details of this case.

No further details.



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#### INVESTIGATION:

On 15 October 2017, about 1730, I was in Half Moon Bay for a team building with other members of San Leandro PD. While I was there I was asked to join a meeting with several people. At that time, I was asked by Captain Luis Torres to assist in this investigation. During the meeting I was apprised of the basic details of the investigation and that Officer Marco Beeerra was the subject of the investigation.

On 18 October 2017, I assisted Sergeant Abe Teng with several interviews related to this case.

About 1102 hours, we interviewed Police Service Technician (PST) [REDACTED] in the Chief's Conference Room. Refer to Sergeant Teng's supplemental for details.

About 1136 hours, we interviewed PST [REDACTED] in the Chief's Conference Room. Refer to Sergeant Teng's supplemental for details.

About 1149 hours, we interviewed [REDACTED] in the Chief's Conference Room. Refer to Sergeant Teng's supplemental for details.

About 1443 hours, we interviewed Police Explorer [REDACTED] at [REDACTED]. Refer to Sergeant Teng's supplemental for details.

About 1517 hours, we interviewed former Police Explorer [REDACTED] at his home in [REDACTED]. Refer to Sergeant Teng's supplemental for details.

About 1655 hours, we interviewed Police Explorer [REDACTED] at [REDACTED] in [REDACTED]. Refer to Sergeant Teng's supplemental for details.

On 19 October 2017, Sergeant Teng and I continued interviews related to this case.

About 0915 hours, we interviewed Police Serviee Technician [REDACTED] in the Chief's Conference Room. Refer to Sergeant Teng's supplemental for details.

About 1050 hours, we interviewed Police Explorer [REDACTED] at [REDACTED], [REDACTED]. Refer to Sergeant Teng's supplemental for details.

About 1730 hours, I went to the CALICO center with Sergeants Leja, Anthony and Teng to conduct interviews with [REDACTED] and her parents. Sergeant Anthony and I were tasked with interviewing [REDACTED]



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About 1733 hours, Sergeant Anthony and I interviewed [REDACTED]. We told him we were looking to see what [REDACTED] may have told him regarding the Explorer program and whether he had heard or seen anything suspicious. He told us the program had been a very positive experience for his daughter, in that it had given her some direction and purpose in life. He wanted to learn more about the program and to do so, he did a ride along with [REDACTED]. He had a very positive and impressionable experience riding with [REDACTED]. He spoke very highly of him and the other Officers he has met from San Leandro PD. He brought up that someone had called [REDACTED] and that they (he and his wife) were not going to allow us to see the records. He did say that she [REDACTED] but was not willing to expand beyond that.

He told us he first learned of the sexual relationship between [REDACTED] and Marco Becerra from his wife [REDACTED], who had learned about it from [REDACTED] ([REDACTED]).

[REDACTED] did say he found it odd that someone as young as Marco would be alone with someone as his daughter. [REDACTED] said he had reflected on it briefly and then quickly dismissed it. He did find it more suspicious now, in light of the news that [REDACTED] and Marco have been having sex.

[REDACTED] said [REDACTED] had won a [REDACTED] and they had thrown a party to celebrate. He said [REDACTED] and Officer Becerra came by for a few minutes. He did not describe anything odd during their visit.

[REDACTED] did say he found it odd, that sometime in September Marco Becerra came to his house and knocked on the door. When [REDACTED] answered, Becerra asked to fill his water bottle. Becerra came in for a few minutes and chatted with [REDACTED] and his son [REDACTED]. Becerra filled his water bottle and left after about 10 minutes. The only thing he could describe as odd was the fact that Becerra came to his house to get water, instead of going to a corner market to get a bottle of water. He could not remember if [REDACTED] was home at the time but he had been home for several hours.

[REDACTED] did say that during the Explorer trip to San Diego a form was signed that allowed Becerra to be aware of the fact that [REDACTED] thought this would have put Becerra on notice [REDACTED] was a vulnerable kid. He could not expand on how she would be vulnerable.

In reflection, he was not suspicious of the relationship between Becerra and [REDACTED]. He said he was caught completely off guard when his wife told him.

[REDACTED] said he had never seen anything inappropriate or unprofessional by anyone from San Leandro PD.



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This is a summary of the interview; refer to the video recorded on Sergeant Anthony's Taser body camera for the full interview details.

About 1822 hours, Sergeant Anthony and I interviewed [REDACTED]. She also described the Explorer program as being very positive for [REDACTED] in that it had given her something to belong to and made her more confident.

[REDACTED] said she did not see anything suspicious in the relationship between Becerra and [REDACTED]. She also said she had not seen anything inappropriate or unprofessional from anyone at San Leandro PD.

About 1840 hours, I asked [REDACTED] to join us in the room with [REDACTED] to explain the consent form for the records from [REDACTED]. I explained our desire for the records and to speak with [REDACTED] related to this case we were investigating. Furthermore, we wanted to speak to [REDACTED] as she was the person who reported the crime to the police. I told them it was ultimately a family decision and we were ok with whatever decision they made. I gave [REDACTED] the consent form and she said she would get back to me the following day.

This is a summary of the interview; refer to the video recorded on Sergeant Anthony's Taser body camera for the full interview details.

On 20 October 2017, [REDACTED] emailed me and asked if she could decide on the consent form the following week. I told her this was fine. She also texted my cell phone regarding this. About an hour later she texted me they had decided not to sign the consent form.

On 21 October 2017, about 0624 hours, [REDACTED] texted me she remembered something. I called her about 0903 hours and she told me during the last SWAT training night (5 October) [REDACTED] had come home about an hour later than normal. In reflection she found this odd.



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### Crimes Against Persons – INVESTIGATIVE FOLLOW-UP Case # 17-47052

On 10-13-2017 I was assigned as a Detective Sgt. with the Criminal Investigations Division. I was made aware of this investigation and was asked to assist by writing search warrants for Officer Becerra's personal phone, and his work phone which was provided to him by SLPD.

#### Background

On 10-13-2017, SLPD received information from Child Protective Services that the victim [REDACTED] (herein referred to as [REDACTED]) revealed to [REDACTED] (mandated reporter), she was having a sexual relationship with a male Police Officer Marco Becerra who is 26 years of age.

On 10-14-2017, I arrived at the San Leandro Police Department and was briefed about the incident. I was advised that SLPD personnel had gone to [REDACTED] house and met with [REDACTED] parents and revealed to them what was reported to SLPD. [REDACTED] agreed to conduct a CALICO interview in San Leandro. I was given a copy of that interview and watched it from beginning to end and learned the following facts:

[REDACTED] 17 years old and she is in high school. [REDACTED] is a member of the San Leandro Police Department's explorer program, and has been for approximately a little over a year. [REDACTED] said Police Officer Marco Becerra is one of two Advisers who assist in the Police Explorer program at the City of San Leandro, and overlooks what the Police Explorers do.

[REDACTED] said during her interview that she began to have feelings for Officer Becerra. The "professional relationship" as she called it changed about a month ago when she texted him and said that she liked him. [REDACTED] said Officer Becerra replied back to her and said that he liked her as well. Officer Becerra said something to the effect toward [REDACTED] that if anything were to happen they needed to wait until she turned 18 years of age. [REDACTED] said that did not happen as Officer Becerra texted her one day approximately a month ago and asked her to meet him so they could "make out". Once they met, Officer Becerra said to her that if "they do this we can never go back". [REDACTED] said they met and he drove his car to the Marina in San Leandro. [REDACTED] said they parked the car at the Marina, got into the back seat and had sexual intercourse. [REDACTED] described this



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### Crimes Against Persons – INVESTIGATIVE FOLLOW-UP **Case # 17-47052**

meaning his penis went into her vagina, and he “finished” inside of her without protection. Once they were done having sex, Officer Becerra told her not to tell anyone.

[REDACTED] estimated she and Officer Becerra have had sexual intercourse approx. 10 times, and the last time they had sexual intercourse was this last Thursday (3 days ago), which occurred in the back seat of her vehicle.

Within this month when they began being intimate with one another, [REDACTED] also said they had anal sex which was his idea. [REDACTED] recalls Officer Becerra telling her that he liked anal sex. According to [REDACTED] he told her that he wanted to have anal sex with her and he would go slowly. [REDACTED] also advised she has given Officer Becerra oral sex and he also has given her oral sex as she described his lips touching her vagina. She said this almost happened each time they would have sex and she estimated it happened each time but not the first time.

[REDACTED] said once they became intimate with each other, they were talking/texting a lot, and spoke each day. During that time, [REDACTED] said they would exchange pictures of themselves. [REDACTED] said Officer Becerra has sent her pictures of his penis and she has sent him pictures of her vagina and buttocks. [REDACTED] said this was done through pictures sent from his cell phone and she sent pictures back to him on his cell phone from her cell phone.

They both agreed they needed to stop or cool off a bit because they were really beginning to have feelings for one another. They attempted to stop talking for about one week but it lasted for about that (a week), and once they saw each other again they had sex.

[REDACTED] was asked if Officer Becerra ever asked her how old she was. [REDACTED] responded by saying something to the effect “he knew how old I was”, and he knew she was only 17 years of age.

It should be noted that Officer Becerra was contacted by SLPD command staff and advised of the complaint. As they were speaking with Officer Becerra, they seized both his phones. One phone being a city issued.



## SAN LEANDRO POLICE DEPARTMENT Criminal Investigation Division

### Crimes Against Persons – INVESTIGATIVE FOLLOW-UP Case # 17-47052

Based on all the allegations I learned through this investigation, I obtained the 2 cell phones from Sgt. Sanchez, and drafted a search warrant for both phones. It should be noted when I received the phones the passcodes were written on a piece of paper taped onto the phone. These passcodes were given to SLPD staff by Officer Becerra when the phones were obtained from him.

On 10/14/2017, the honorable Judge Frank Roesch signed the search warrant I drafted for a forensic exam of the cell phones which were obtained from Officer Bacerra.

On 10/17/2017, I obtained a preservation order for the Instagram and Facebook accounts linked to [REDACTED] and Marco Bacerra.

On 10/18/2017, Lt Benabou took the phones over to the Alameda County Crime Lab so they could extract the data off the phones.

On 10/18/2017 I drafted another search warrant for Officer Bacerra's locker which was assigned to him by the San Leandro Police Department.

On 10/18/2017, the honorable Judge Roesch signed the search warrant allowing SLPD personnel to search his locker for any additional evidence.

I provided Det. Sgt. Leja that search warrant which was served.

Nothing further.



## SAN LEANDRO POLICE DEPARTMENT

## POLICE REPORT

901 E. 14TH STREET  
SAN LEANDRO, CA 94577  
(510) 577-3217 RECORDS

CASE NO.

2017-47052

PAGE  
11 OF

PRIMARY OFFENSE / OCCURRED INCIDENT

261.5 P.C.

## STATEMENT / CITIZEN ARREST

DEFENDANT'S NAME	DOB	RACE / SEX	ARREST CHARGE				
CITIZEN ARREST: I hereby arrest the above defendant on the charge indicated and request a Peace Officer take him/her into custody. I will appear when notified to sign a complaint against the person I have arrested. <input checked="" type="checkbox"/> X							
MIRANDA ADMONITION: I want to advise you; (1) You have the right to remain silent; (2) Anything you say, can and will be used against you in a court of law; (3) You have the right to talk to a lawyer and have him present while you are being questioned; (4) If you cannot afford to hire a lawyer, one will be appointed to represent you, free of charge, before any questioning, if you wish one.							
Do you understand each of these rights I have explained to you? <input checked="" type="checkbox"/> YES		Date/Time: 10/20/17 / 1041					
Witness Officer: <input checked="" type="checkbox"/> O. LESA #27 		I have been advised of my rights and understand what they are. <input checked="" type="checkbox"/> M.P. 15mm					
NAME: BECERRA, MARCO	DOB:	RACE / SEX: Hm	HEIGHT / WEIGHT:				
ADD:			HAIR / EYES: H				
EMPLOYER NAME / ADDRESS:		OCCUPATION:	EMP. PHONE:				
LICENSE NO.	STATE	YEAR	MAKE	MODEL.	STYLE	COLOR	DESCRIPTION
2.	PURD RECORDED						
3.							
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23.							
24.							
REPORTING OFFICER: O. LESA	SERIAL NUMBER: 271	DATE / TIME WRITTEN: 10/20/17 / 1035					

2017-47052 11

1. How long have you been in the San Leandro Explorer program?
2. How has your experience in the program been?
3. What role do you play?
4. How often do you attend meetings/events?
5. Have you gone on ride-alongs?
6. With who? How often?
7. Who have been your advisors in the program?
8. Have you had any interactions with the advisors that are unrelated to the Explorer program? Or off-duty?
9. Did you go to the San Diego Explorer Academy this last summer?
10. How did the trip go?
11. Did you see or experience anything you thought was inappropriate or unprofessional while on your trip to the San Diego Explorer Academy?
12. Have you seen anything in the program that you have questioned or felt was inappropriate?
13. Tell me about your interaction with Marco Becerra.
14. Has Marco Becerra done anything that would cause you to question his professionalism?
15. Have you had any off-duty contact with Marco Becerra?
16. Do you know [REDACTED]?
17. What has your interaction with her been?
18. What have her interactions with the advisors been like?
19. Have you noticed anything about the interaction with Marco and [REDACTED]?
20. Have you seen any inappropriate or unprofessional interactions between Marco and [REDACTED]?
21. Have you seen any inappropriate or unprofessional interactions between any members of San Leandro PD and explorers?

**APPLICATION FOR EMERGENCY PROTECTIVE ORDER (CLETs)**

EPO-001

(Name): SGT. B. SANCHEZ has provided the information in items 1-5.

**LAW ENFORCEMENT CASE NUMBER:**

2017-47052

2. PERSON TO BE RESTRAINED (name): MARCO BECERRA

Sex:  M  F HL: WL: Hair color: Eye color: Race: Age: 26 Date of birth: 1

3. The events that cause the protected person to fear immediate and present danger of domestic violence, child abuse, child abductor, elder or dependent adult abuse (other than solely financial abuse), or stalking are (give facts and dates; specify weapons): Police OFFICER MARIA BECERRA HAS HAD A SEXUAL RELATIONSHIP WITH A Police explorer, WHO IS A MINOR. AS THIS CONDUCT IS LIKELY TO CONTINUE, I BELIEVE THERE IS A DANGER TO HARM BY CONTINUING THIS RELATIONSHIP

4.  The person to be protected lives with the person to be restrained and requests an order that the restrained person move out immediately from the address in item 9.

5. e.  The person to be protected has minor children in common with the person to be restrained, and a temporary custody order is requested because of the facts alleged in Item 3. A custody order  does  does not exist.

b.  The person to be protected is a minor child in immediate danger of being abducted by the person to be restrained because of the facts alleged in item 3.

6.  A child welfare worker or probation officer has advised the undersigned that a juvenile court petition  has already been filed.  will be filed,  will NOT be filed.

7.  Adult Protective Services has been notified.

8. Judicial officer (name): CORMISSIONER CLAY was contacted on (date): 10/14/17 at (time): 1250 PM  
 The judicial officer granted the Emergency Protective Order that follows.

By: Sgt. Robert Springer

(PRINT NAME OF LAW ENFORCEMENT OFFICER)

**SIGNATURE OF LAW ENFORCEMENT OFFICER**

Agency: San Geronimo P.D.

Telephone No.: 510-574-7225 Badge No.: 286

**EMERGENCY PROTECTIVE ORDER** (See reverse for important notices.)

9. To restrained person (name): MARY BEGREN

a.  You must not contact; molest, harass, attack, strike, threaten, sexually assault, batter, telephone, send any messages to, follow, stalk, destroy any personal property of, disturb the peace of, or take any action to obtain the address or location of each person named in item 1. **NO FIREARMS PER COMMISSIONER.**

b.  You must:  stay away at least 100 yards from each person named in item 1.  
 stay away at least \_\_\_\_\_ yards from each person named in item 1. **IMMEDIATELY** from  
 (address): REDACTED

10.  (Name): \_\_\_\_\_ is given temporary care and control of the following minor children of the parties (names and ages): \_\_\_\_\_

11. Reasonable grounds for the issuance of this order exist and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking.

**12. THIS EMERGENCY PROTECTIVE ORDER WILL EXPIRE AT 5:00 P.M. ON:** 10/20/17

13. To protected person: If you need protection for a longer period of time, you must request restraining orders at (court name and address): \_\_\_\_\_

INSERT DATE OF FIFTH COURT DAY OR SEVENTH  
 CALENDAR DAY, WHICHEVER IS EARLIER;  
 DO NOT COUNT DAY THE ORDER IS GRANTED

**PROOF OF SERVICE**

- STATE OF SERVICE

14. Person served (name): MARCUS BECKUM

15. I personally delivered copies to the person served as follows: Date: 10/14/17 Time: 1PM  
Address: 901 E. 14TH ST.

16. At the time of service I was at least 18 years of age and not a party to this cause.  I am a California sheriff or marshal.

17. My name, address, and telephone number are (this does not have to be server's home telephone number or address):  
Steve Robert Clegg Esq.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

Sgt. Robert Sander  
TYPE OR PRINT NAME AS SERVED

(TYPE OR PRINT NAME OF SERVER)

(SIGNATURE OF SERVER)

# San Leandro Police Department

## Non-Disclosure Form

Report Number 2011-47052

**Penal Code section 293** states that any employee of a law enforcement agency who personally receives a report from any person, alleging that the person making the report has been the victim of a sex offense, shall inform that person that his or her name will become a matter of public record unless he or she requests that it not become a matter of public record, pursuant to **Section 6254 of the Government Code**.

No law enforcement agency shall disclose to any person, except the prosecutor, parole officers of the Department of Corrections, hearing officers of the parole authority, or other persons or public agencies where authorized or required by law, the name of a person who alleges to be the victim of a sex offense, if that person has elected to exercise his or her right pursuant to this section and **Section 6254 of the Government Code**.

### Admonishment:

*Your name will become a matter of public record unless you (or parents/guardians of a minor victim), request otherwise. If non-disclosure is requested, the police department may release your name and address to the prosecutor only.*

I, Detective Ali Khan Badge number 311, advised the victim (named below) that his/her name will become a matter of public record unless he/she requests it be kept confidential.

Victim elected to keep his/her name confidential

{ } Victim declines to keep his/her name confidential

[REDACTED]  
Victim/Guardian's Signature

10/14/17  
Date

[REDACTED]  
Victim's name

W/F  
Race/Sex

[REDACTED]  
Residence Address

[REDACTED]  
Residence Phone #

[REDACTED]  
Business / School

[REDACTED]  
Business/School Phone #

[REDACTED]  
Officer's Signature

10/14/17  
Date

SUPERIOR COURT OF CALIFORNIA  
County of Alameda

**SEARCH WARRANT RETURN  
and  
INVENTORY**

Search Warrant No.

Item to be searched: Becerra's city issued I phone: Ic [REDACTED] and Becarra's personal I phone, Ic [REDACTED]

Issuing Magistrate: Frank Roesch

Name of affiant: Det. Sgt. B. Anthony

Date warrant issued: 10/14/2017

Date warrant executed: 10/14/2017

Person served and title: Marco Becerra

Manner of warrant service:  Personal service    Mail     Fax

I, the affiant for this search warrant, state the following:

- (1) The information listed above is correct.
- (2) During the execution of the search warrant, the following property was seized:

SLPD 2017-47052

1. Address book and other contact information, as follows: Any and all contacts and information associated to them.
2. Stored email messages, as follows: Any and all emails located on the cell phone.
3. Stored text messages, as follows: Any and all text messages from known or unknown contacts on the cell phone.
4. Phone numbers of all outgoing calls.
5. Phone numbers of all incoming calls.
6. Photographs and other graphics, as follows: Any and all digital images and video on cell phone.
7. Indicia of person(s) having control the cell phone
8. Other stored information: Downloaded documents, videos, digital images, internet browser history, all social media, facebook messenger content, any and all information regarding a crime, including but not limited to the attempt homicides.

I declare under penalty of perjury that the foregoing is true.

Date: 10-24-17

  
Affiant

Penal Code § 1537

ORIGINATOR FAY Item Snork

2017-47052

# SUPERIOR COURT OF CALIFORNIA

## County of Alameda



### SEARCH WARRANT

Cell Phone in Police Custody

**THE PEOPLE OF THE STATE OF CALIFORNIA**  
to any peace officer in Alameda County

Warrant No. \_\_\_\_\_

An affidavit, which was sworn to and subscribed before me on this date, has established probable cause for the following:

- (1) Evidence of a crime: The evidence described below is evidence of a crime in that it: (check one or more)
- Tends to prove that a felony was committed
  - Tends to prove that a particular person committed a felony
  - Tends to prove that sexual exploitation of a child or possession of matter depicting sexual conduct of a person under the age of 18 years has occurred or is occurring

- (2) Location of evidence: The evidence described below is presently stored in the cell phone identified below.

You are therefore ordered to search the cell phone identified below for the evidence described below. If evidence is found, the affiant shall store it and the cell phone in an official evidence storage facility pending further court order.

#### CELL PHONE TO BE SEARCHED

Description of phone: (1) Apple iPhone model [REDACTED] (2) Apple iPhone model [REDACTED]

Location of phone: SLPD 901 East 14<sup>th</sup> Street, San Leandro, CA 94577

Report number: 2017-47052

#### EVIDENCE TO BE SEIZED (if checked)

- Dates of July 01, 2015 through October 14<sup>th</sup>, 2017.
- Address book and other contact information, as follows: Any and all contacts and information associated to them.
- Stored email messages, as follows: Any and all emails located on the cell phone.
- Stored text messages, as follows: Any and all text messages from known or unknown contacts on the cell phone.
- Phone numbers of all outgoing calls.
- Phone numbers of all incoming calls.
- Photographs and other graphics, as follows: Any and all digital images and video on cell phone.
- Indicia of person(s) having control the cell phone
- Other stored information: Downloaded documents, videos, digital images, internet browser history, all social media, facebook messenger content, any and all information regarding a crime; including but not limited to the attempt homicides.

## SEARCH WARRANT NOTICE EXTENSION: ELECTRONIC COMMUNICATIONS SEARCH

 Granted Not Granted

The court orders that any items seized during the lawful service of this search warrant be disposed in accordance with the law by the San Leandro Police Department upon adjudication of the case. The court further orders that any information obtained pursuant to this warrant that is unrelated to the objective of the warrant, shall be sealed and not subject to further review, use, or disclosure without a further court order, pursuant to California Penal Code 1546.1 (d)(2).

Pursuant to Penal Code Section 1546.2 (b) (1), when a warrant is sought or electronic information is obtained in an emergency under Section 1546.1, the government entity may submit a request supported by a sworn affidavit for an order delaying notification and prohibiting any party providing information from notifying any other party that information has been sought. The court shall issue the order if the court determines that there is reason to believe that notification may have an adverse result, but only for the period of time that the court finds there is reason to believe that the notification may have that adverse result, and not to exceed 90 days.

Pursuant to Penal Code Section 1546(a), there is reason to believe that compliance with the notice requirements will result in one or more of the following adverse results:

- Danger to life or safety       Flight from prosecution       Seriously jeopardize an investigation
- Evidence destruction or tampering       Intimidation of potential witnesses

Anyone aware of the execution of this warrant, including its employees and agents, and officers shall not disclose any information regarding the search warrant's content, existence, or execution to the listed subscriber/owner, or to any other person until:

- 30 days from the date of this order       60 days from the date of this order       90 days from the date of this order

- SEALING ORDER:** Pending further order of this court, this search warrant and all accompanying documents shall not become a public record and shall be sealed and delivered into the custody of the Clerk of the Court.  
Grounds for sealing:     Informant protection (Evid. Code § 1041)     Official information (Evid. Code § 1040)

Date

10/14/2017

Judge of the Superior Court

10-14-17 17:24 FROM-

FRANK RUESCH

510-577-8071

PAGE 84

T-826 POC04/0006 F-184

On 10-14-2017, your Affiant arrived at the San Leandro Police Department and was briefed about the incident. Your Affiant was advised that SLPD personnel had gone to Jane Doe's house and met with Jane Doe's parents and revealed to them what was reported to SLPD. Jane Doe agreed to conduct a CALICO interview in San Leandro. Your Affiant was given a copy of that interview and watched it from beginning to end and learned the following facts:

Jane Doe is currently 17 years old and she is in high school. Jane Doe is a member of the San Leandro Police Department's explorer program, and has been for approximately a little over a year. Jane Doe said, Police Officer Marco Bacerra is one of two "Advisers" who assist in the Police Explorer program at the City Of San Leandro, and overlooks what the Police Explorers do.

Jane Doe said during her interview that she began to have feelings for Officer Bacerra. The "professional relationship" as she called it changed about a month ago when she texted him and said that she liked him. Jane Doe said Officer Bacerra replied back to her and said that he liked her as well. Officer Bacerra said something to the effect toward Jane Doe that if anything were to happen they needed to wait until she turned 18 years of age. Jane Doe said that did not happen as Officer Bacerra texted her one day approximately a month ago and asked her to meet him so they could "make out". Once they met, Officer Bacerra said to her that if "they do this we can never go back". Jane Doe said they met and he drove his car to the Marina in San Leandro. Jane Doe said they parked the car at the Marina, got into the back seat and had sexual intercourse. Jane Doe described this meaning his penis went into her vagina, and he "finished" inside of her without protection. Once they were done having sex, Officer Bacerra told her not to tell anyone.

Jane Doe estimated she and Officer Bacerra have had sexual intercourse approx. 10 times, and the last time they had sexual intercourse was this last Thursday (3 days ago), which occurred in the back seat of her vehicle.

Within this month when they began being intimate with one another, Jane Doe also said they had anal sex which was his idea. Jane Doe recalls Officer Bacerra telling her that he liked anal sex. According to Jane Doe he told her that he wanted to have anal sex with her and he would go slow. Jane Doe also advised she has given Officer Bacerra oral sex and he also has given her oral sex as she described his lips touching her vagina. She said this almost happened each time they would have sex and she estimated it happened each time but not the first time.

Jane Doe said once they became intimate with each other, they were talking/texting a lot, and spoke each day. During that time, Jane Doe said they would exchange pictures of themselves. Jane Doe said Officer Bacerra has sent her pictures of his penis and she has sent him pictures of her vagina and buttox. Jane Doe said this was done through pics sent from his cell phone and she sent pics back to him on his cell phone from her cell phone.

They both agreed they needed to stop or cool off a bit because they were really beginning to have feelings for one another. They attempted to stop talking for about one week but it lasted for about that (a week), and once they saw each other again they had sex.

Jane Doe was asked if Officer Bacerra ever asked her how old she was. Jane Doe responded by saying something to the effect "he knew how old I was", and he knew she was only 17 years of age.

It should be noted that Officer Bacerra was contacted by SLPD command staff and advised of the complaint. As they were speaking with Officer Bacerra, they seized both his phones. One phone being a city issued

10-14-17 17:25 FROM-

610-577-6071

T-826 P0005/0006 F-184

phone, : (1) Apple iPhone model [REDACTED] and the second phone was his personal phone, (2) Apple iPhone model [REDACTED]

Officer Bacerra also provided them with his passcodes to the phones which were the following. City Issued work phone 0901, and Officer Bacerra's personal phone he provided a passcode of [REDACTED]

I know that suspects, victims and witnesses who communicate through the use of phones, both landlines and cellular phones, before, during and after the commission of criminal offenses; including assaults often contain information in the phones, including sent, saved and drafts of text, SMS, MMS, picture and video messages, as well as e-mails, photographs and videos, logs of incoming and outgoing phone calls, logs of incoming and outgoing messaging, contact information contained in cellular electronic phonebooks, as well as ownership information that may be manually entered into the phone's memory.

I know a cellular telephone or mobile telephone is a handheld wireless device used primarily for voice communication through radio signals. These telephones send signals through networks of transmitter/receivers called "cells," enabling communication with other cellular telephones or traditional "land line" telephones. A cellular telephone usually includes a "call log," which records the telephone number, date, and time of calls made to and from the phone. In addition to enabling voice communications, cellular telephones now offer a broad range of capabilities. These capabilities include, but are not limited to: storing names and phone numbers in electronic "address books;" sending, receiving, and storing text messages and email; taking, sending, receiving, and storing still photographs and moving video; storing and playing back audio files; storing dates, appointments, and other information on personal calendars; and accessing and downloading information from the Internet. Cellular telephones may also include global positioning system ("GPS") technology for determining the location of the device.

I know cellular phones have become a virtual biographer of our daily activities. It tracks who we talk to and where we are. It will log calls, take pictures, and keep our contact list close at hand. In short, it has become an indispensable piece of evidence in a criminal investigation.

Based on my training and experience, I believe it may be necessary to conduct the search at an off-site facility to be designated by the San Leandro Police Department, 901 E. 14th St., San Leandro, Alameda County, California. I believe the officers who execute this search may need to remove the cellular phone to another location for the purposes of conducting the search. I request that the officers who conduct the search of such equipment do so diligently. Additionally, I understand that civilians who are trained in the area of cell phone extractions maybe used to help facilitate the process. Furthermore, I believe it may be necessary to continue beyond the 10-day period beginning upon issuance of this Search Warrant, to the extent necessary to complete the search on the cellular phone, and understand the phone will more than likely need to be opened more than once to receive the data which we may need to assist in this investigation.

This is a sexual assault investigation in which it is necessary for police personnel to enter the aforementioned cellular phones to examine and gather evidence as soon as possible in order to develop leads that may confirm the identity of any other victims and/or suspects in this investigation.

WHEREFORE, I pray that a search warrant be issued, based upon the above facts, for the seizure of said property; I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

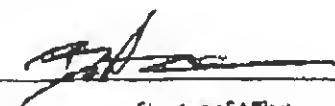
10-14-17 17:48 FROM-

510-577-6071

T-828 P0001/0001 F-135

Subscribed and sworn to before me  
at 6:53 AM / PM on 10/14/2017  
in Alameda County, California.

Frank Ruedin  
Magistrate of the County of Alameda,  
State of California



Signature of Affiant

**ALAMEDA COUNTY SHERIFF'S OFFICE**  
**CRIME LABORATORY EXAMINATION REPORT**

2901 Peralta Oaks Court, 3<sup>rd</sup> Floor, Oakland, CA 94605  
 Phone (510) 382-3300 Fax (510) 382-3344

SUBMITTING AGENCY		LABORATORY NUMBER
San Leandro Police Department		L17-2461-1
EXAMINATION REQUESTED BY	VICTIM OR SUSPECT	CASE NUMBER
Sergeant Leja	(V): DOE, Jane	2017-47052
LABORATORY CLASSIFICATION	DATE OF REPORT	OFFENSE
Digital & Multimedia Evidence	October 23, 2017	261 PC

**Chain of Custody**

One sealed evidence envelope, identified by the above case information, was received into the Laboratory on October 18, 2017 from Lt. Benabou by Sheriff's Technician Heidi Bates.

**Evidence Description**

**Item #2:**

V1: Apple iPhone 6 cell phone, md#: [REDACTED]

V1SIM: [REDACTED]

Carrier: Sprint      Phone number: [REDACTED]

V2: Apple iPhone 6 cell phone, md#: [REDACTED]

V2SIM: [REDACTED]

Carrier: AT&T      Phone number: [REDACTED]

V3: Apple iPhone 6s cell phone, md#: [REDACTED]

V3SIM: [REDACTED]

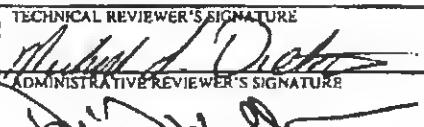
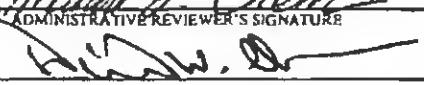
Carrier: Verizon      Phone number: [REDACTED]

**Equipment and Software**

ACSO Forensic 112, Cellebrite UFED Touch 6.3, Cellebrite Physical Analyzer (PA) 6.3

**Request**

The Crime Lab was requested to extract data from the submitted cell phones. Legal authority for V1 was provided by a consent to search. Legal authority for V2 and V3 were provided by a search warrant. I reviewed the legal authority prior to starting the examination.

EXAMINER'S NAME	EXAMINER'S SIGNATURE	TITLE
Wansin Ounkeo	Wansin Ounkeo	Forensic Computer Examiner II
TECHNICAL REVIEWER'S SIGNATURE	DATE	FILE NAME
	10/24/17	00199209.DOC
ADMINISTRATIVE REVIEWER'S SIGNATURE	DATE	Page 1 of 2
	10/24/17	

### Examination Results and Conclusions

I checked out the items from Evidence, inventoried them, and took photographs to document their condition. I took the SIM cards out of each cell phone and used the UFED Touch to perform a SIM card contents extraction. I was only able to extract the phone number for V1 using the UFED Touch. The phone numbers for V2 and V3 were extracted using the PA.

I put the SIM cards back into their respective phones. I took the phones to a radio-shielded room designed to prevent connection to their network towers. I powered on the phones and used the provided passcodes to unlock and access each phone. All phones were already in airplane mode.

I used PA to perform an advanced logical extraction for each cell phone. I opened the extractions in PA and generated a UFED Reader report for each phone. For V2 and V3, I filtered for dates authorized in the search warrant. At the conclusion of the extraction, I performed a random visual-verification that the data in the report was accurately displayed as was on the physical phones. Not all data was guaranteed to be extracted such as 3<sup>rd</sup> party application data that was not supported by PA. For instance not all data was extracted for applications Snapchat, WhatsApp, and TBH.

I generated a results media for the investigators and an archive copy for the Crime Lab.

**Item #3:** Patriot 64 GB USB 2 memory stick – Photographs and UFDR reports for V1, V2, and V3 for Investigator

**Item #4:** envelope containing 2 Blu-ray discs for archive at Crime Lab:

Disc 1 of 2: That's 50 GB Blu-ray DL disc containing V2 UFDR report

Disc 2 of 2: Verbatim 25 GB Blu-ray disc containing V1 and V3 UFDR reports and photographs

### Evidence Disposition

Item #2 was returned to the submitting agency on 10/19/2017. Item #3 will be prepared for release to the investigating agency. Item #4 will be kept at the Crime Laboratory.

Wansin Ounkeo: Wansin Ounkeo  
Technical Reviewer's Initials: WAO  
Administrative Reviewer's Initials: WAO